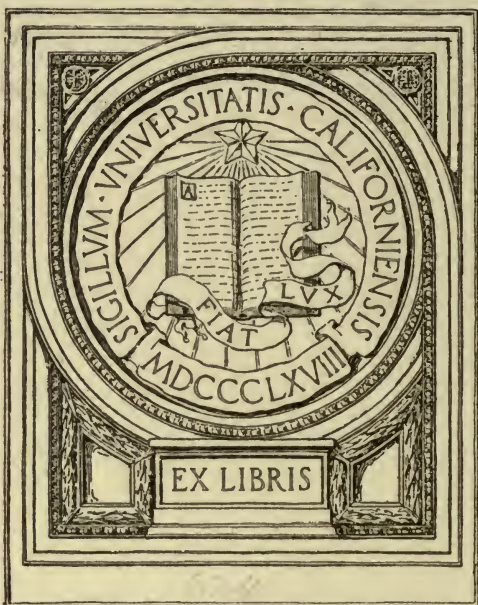


UC-NRLF

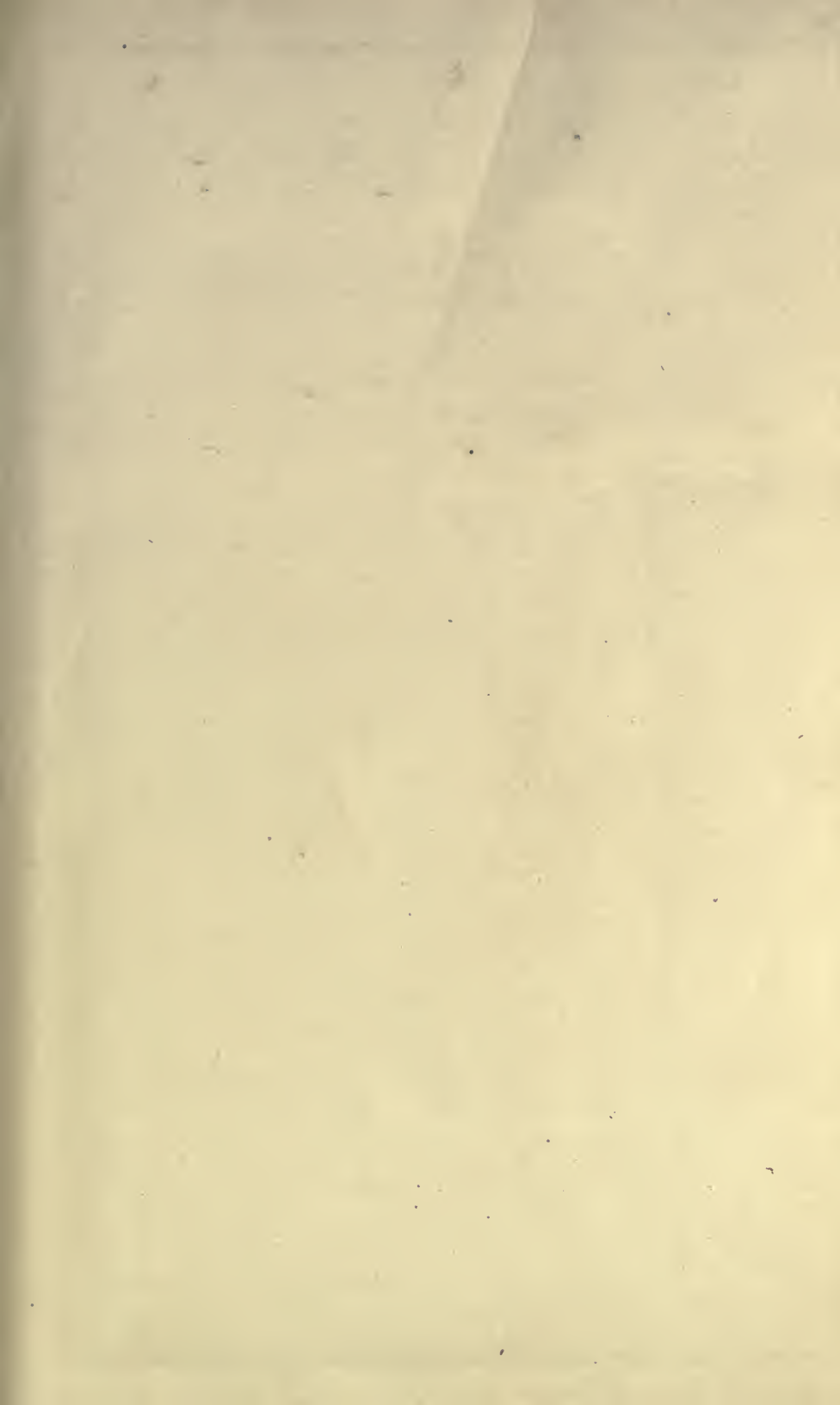


\$B 64 059

GIFT OF



EX LIBRIS





Digitized by the Internet Archive
in 2007 with funding from
Microsoft Corporation

U.S. Laws statutes, etc.

THE
MILITARY LAWS
OF THE
UNITED STATES
1915

SUPPLEMENT

CONTAINING THE LAWS OF THE 64TH CONGRESS AND THE
1ST SESSION OF THE 65TH CONGRESS, FROM DECEM-
BER, 1915, TO OCTOBER 6, 1917

(This Supplement supersedes the Supplement in the Military Laws of 1915
which includes laws to March 5, 1917)

FIFTH EDITION



WASHINGTON
GOVERNMENT PRINTING OFFICE
1918

UB500
A2
1917a

MILITARY LAWS

UNITED STATES

1915

STATUTES

AND THE REGULATIONS THEREOF
AS APPLIED TO THE ARMY
AND THE NAVY
BY THE
WAR DEPARTMENT
WASHINGTON
1915

WAR DEPARTMENT

OFFICE OF THE
SPECIAL AGENT



TABLE OF CONTENTS.

SUPPLEMENT.

	Page.
Chapter I. The President.....	5
II. Executive departments in general.....	7
III. The Department of War.....	39
IV. Provisions applicable to several classes of officers.....	43
V. The Treasury Department—The accounting officers.....	45
VI. Postal laws.....	57
VII. The Department of Justice—Habeas corpus—The Court of Claims, etc.....	61
VIII. The Department of the Navy—The Marine Corps.....	63
X. The Military Establishment—General provisions of organization..	65
XI. General officers and aids.....	79
XII. Rank and command—Tactical and territorial organizations.....	81
XIII. The General Staff Corps.....	87
XIV. The staff departments—General provisions—Disbursing officers...	93
XV. The Adjutant General's Department.....	95
XVI. The Inspector General's Department.....	97
XVII. The Judge Advocate General's Department—Military prisons...	99
XVIII. The Quartermaster Corps.....	107
XIX. The Medical Department.....	141
XX. The Corps of Engineers.....	157
XXI. The Ordnance Department—Armories and arsenals—Board of Ordnance and Fortification.....	163
XXII. The Signal Corps.....	169
XXIII. Chaplains.....	191
XXIV. Commissioned officers.....	193
XXV. Brevets—Uniform and title of ex-officers—Medals of honor— Certificates of merit—Foreign decorations.....	213
XXVI. Enlisted men.....	221
XXVII. The troops of the line—Troops, batteries, companies.....	233
XXVIII. The United States Military Academy—The Army War College— The service schools.....	243
XXIX. Contracts and purchases.....	251
XXX. Public property.....	255
XXXI. The Militia (National Guard).....	281
XXXII. Volunteers.....	341
XXXIII. Indians—Indian agents—Indian country.....	343
XXXIV. The employment of military force.....	345
XXXV. Pension laws.....	399
XXXVI. The Soldiers' Home.....	423
XXXVII. Care of the insane.....	425
XXXVIII. Flag and seal of the United States.....	427

	Page.
Chapter XL. Reserve Corps.....	431
XLI. Plants for manufacture of arms, ammunition, and supplies— Boards and Council of National Defense, etc.....	459
XLII. Selective Service Act.....	471
XLIII. Foreign relations.....	489
XLIV. Conservation of supply and control of distribution of food and fuel.....	493
Table of Statutes at Large and Revised Statutes.....	515
Table of Related Statutes.....	539
Index.....	617

CHAPTER I.

THE PRESIDENT.

Threats against the President, punishment for-----	Par. 1a	Detail of clerks to the Execu- tive Office-----	Par. 12a
---	------------	--	-------------

1a. *Threats against the President, punishment for.*—Any person who knowingly and willfully deposits or causes to be deposited for conveyance in the mail or for delivery from any post office or by any letter carrier any letter, paper, writing, print, missive, or document containing any threat to take the life of or to inflict bodily harm upon the President of the United States, or who knowingly and willfully otherwise makes any such threat against the President, shall upon conviction be fined not exceeding one thousand dollars or imprisoned not exceeding five years, or both. *Act of Feb. 14, 1917 (39 Stat. 919).*

12a. *Details of clerks to the Executive Office.*—Employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be necessary. *Act of May 10, 1916 (39 Stat. 76).*

CHAPTER II.

EXECUTIVE DEPARTMENTS IN GENERAL.

	Par.		Par.
Temporary employees, War Department	23a	Duties relating to efficiency ratings transferred to	40c
Same—Report to Congress as to number, compensation, etc....	23b	Same—Establish and maintain system of efficiency ratings, investigate duplication of work, etc.....	40d
Limit as to number receiving maximum compensation.....	28c	Same—Investigate methods of auditing accounts of disbursing officers, etc.....	40e
Details for service outside of District restricted.....	30a	Same—Investigate and report upon methods of transacting business in Civil Service Commission.....	40f
Lump-sum appropriations, payment of additional salaries from, forbidden	35a	Same—Ascertain rates of pay of State and municipal employees.....	40g
Transfer of clerks, etc., of executive departments to independent establishments, etc....	36a	Same—Executive department to furnish information, access to records, etc.....	40h
Employment of civil employees of executive departments, etc., in other executive departments, etc., at increased rate of compensation prohibited....	36b	Same—Investigate classification, salary, and efficiency of employees of executive departments, etc.....	40i
Increase of compensation of civil employees of executive departments, etc., employed in other departments, etc., within one year from such employment prohibited	36c	Same—Investigate and report upon duplication of service in executive departments, etc....	40j
United States Shipping Board Emergency Fleet Corporation deemed a Government establishment.....	36d	Increased compensation at rate of 10 and 5 per cent to employees of certain grades.....	44a
Officers and employees of executive departments, etc., established and to continue from year to year	40a	Same—Application of; detailed reports to Congress.....	44b
Section 5, Act of June 22, 1906, not repealed	36e	Same—Increase only applies to employees of Military Establishment on rolls at close of preceding year	44c
Bureau of Efficiency.....	40b-40j	Temporary employment of additional force; report to Congress as to number, designation, and compensation	44d
Created as independent establishment.....	40b		

	Par.		Par.
Appropriations available during fiscal years 1917 and 1918.....	44e	Same—To dependent parents in absence of widow, widower, or child	66o
Appropriations available for paying obligations incurred prior to passage of act.....	44f	Same—To dependent parents where there is widow, widower, or child.....	66p
Annual report to Congress of expenditures under act.....	44g	Same—To dependent brothers, sisters, grandparents, and grandchildren in absence of widow, widower, child, or dependent parent.....	66q
Rules for division of time and computing pay of Government employees	44h	Same—To dependent brothers, sisters, grandparents, and grandchildren where there is widow, widower, child, or dependent parent.....	66r
Increased compensation to piece-work and per diem employees, computation of.....	44i	Same—Duration of compensation under clauses E and F....	66s
Compensation for injuries to Federal employees	66a-66ill	Same—Definition of terms child, brother, sister, parent, widow, widower, etc.....	66t
No compensation for injuries from certain causes.....	66a	Compensation of remaining persons where compensation of one person ceases	66u
No compensation during first three days of disability.....	66b	Commission may modify apportionment to avoid injustice when made to two or more classes	66v
Compensation for total disability.....	66c	Same—Total monthly compensation not to exceed monthly pay at a maximum of \$100 and a minimum of \$50.....	66w
Compensation for partial disability.....	66d	Same—Penalty for accepting compensation after right to, ceases.....	66x
Same—Compensation ceases on refusal to perform suitable work.....	66e	Burial expenses of employees dying from injuries, and transportation of their remains....	66y
Maximum and minimum compensation for total disability, and maximum compensation for partial disability.....	66f	Practice of particular branch of service to be followed in computing monthly pay; overtime pay not to be counted.....	66z
During receipt of compensation to receive no other salary or pay from United States, except for services rendered or as Army or Navy pension....	66g	Partial disability, method of determining employees's wage-earning capacity	66aa
Compensation may begin four days after expiration of annual or sick leave	66h	Lump-sum payment in certain cases in lieu of monthly compensation, method of determining amount of.....	66bb
Injured employees entitled to reasonable medical, surgical, and hospital services and supplies.....	66i	Written notice of injury to employee, time limit for giving..	66ec
Death resulting from injury within six years, rates of pay..	66j	Same—Information which notice shall contain.....	66dd
Same—To widow, if there is no child	66k		
Same—To the widower, if there is no child.....	66l		
Same—To the widow or widower, if there is a child, and to minor child.....	66m		
Same—To children in absence of widow or widower.....	66n		

	Par.		Par.
Same—Failure to give notice within time limit may be waived for cause.....	66ee	Commission authorized to issue process, administer oaths, etc..	66vv
Claim for compensation, time limit for, and method of making.....	66ff	Same—Assistants, clerks, and other employees.....	66ww
Same—To be made on forms, accompanied by certificate, etc..	66gg	Commission to submit annual estimates.....	66xx
Same—Original claims for disability and death, time limit..	66hh	Same—To make rules and regulations for enforcement of, and to decide questions arising under Act.....	66yy
Examination of employees receiving compensation, method of making, and penalty for refusal to submit to.....	66ii	Same—Annual report to Congress.....	66zz
Same—Appointment of third physician to examine in case of disagreement between physicians of commission and employee.....	66jj	Appropriation for expenses of commission, fiscal year 1917..	66aaa
Same—Fees for examinations on part of United States to be fixed by commission.....	66kk	Permanent appropriation for employees' compensation fund..	66bbb
Report of injury to be made to commission by employee's superior.....	66ll	Commission to make finding of facts and award on claim presented.....	66ccc
No payment to assignee or creditor.....	66mm	Same—Review of award on application or on its own motion.....	66ddd
Injury involving claim against third person, etc., assignment of, to United States.....	66nn	Same—Cancellation and recovery of award paid under mistake of law or fact.....	66eee
Same—Penalty for failure to assign or to prosecute claim in own name.....	66oo	Penalty for false affidavit or statement in support of claim..	66fff
Same—Disposition by United States of money received in settlement of such claim.....	66pp	Definition of terms used in Act..	66ggg
Money received by beneficiary in settlement of third person's liability for the injury, disposition of.....	66qq	Repealing clause.....	66hhh
Same—If compensation has been paid in whole or in part by United States.....	66rr	Compensation for injuries occurring prior to passage of Act to be paid under old law..	66iii
Same—If no compensation has been paid by United States....	66ss	Compensation, method of paying, where liability exists in Panama Railroad Co. for the injury.....	66jjj
United States Employees' Compensation Commission, composition, term, and salary of....	66tt	Transfer of administration of Act as to employees of Panama Canal and Alaska Engineering Commission.....	66kkk
Same—Pending claims transferred to the commission, together with certain clerks....	66uu	Waiver of notice of claims as to employees of Panama Canal and Panama Railroad Co.; modification of minimum limit as to aliens, etc.....	66lll
		Authorized to exchange typewriters, adding machines, and other labor-saving devices....	75a
		Subscriptions for periodicals for executive departments.....	77a

	Par.		Par.
Business methods—Restriction on payments to experts to inaugurate new, etc.....	81a	Annual reports of American National Red Cross.....	104a
Purchases of passenger-carrying vehicles restricted to specific authorization	82a	Same—Period covered by, changed from calendar to fiscal year	104b
Estimates of appropriations, official to be designated to supervise and prepare for each department, etc.....	87a	Annual reports, date for furnishing to printer, etc.....	106a
Special or additional estimates, transmission of, to Congress..	91a	Designation of custodian of property in White House; bond	109a
Estimates for lump-sum appropriations, statements required in annual Book of Estimates..	96a	Same—Annual inventory of, required; approval and filing of, etc.....	109b
Same—To be submitted according to uniform and concise methods	96b	Printing and binding for executive departments, etc.....	112a
Subsistence allowance outside of District of Columbia limited; estimates for.....	96c	Printing and binding for Army and National Guard may be procured by contract or in open market during hostilities	112b
Same—Restricted to actual absence, etc.....	96d	Appropriation for printing and binding publications for instruction of land forces.....	112c
Report to Congress plans for improvement of harbors, etc., to facilitate operation of fleets for their defense.....	98a	Same—Contract may be entered into with private concerns for Joint Committee on Printing, continuance of, vacancies in, and powers of, during recess..	112d
Rented buildings, District of Columbia, statement to include details of floor space, etc....	99a	Price of gas for public buildings limited to 70 cents.....	114a
Executive departments authorized to lease storage accommodations	99b	Public library depositaries to receive publications, etc.; new designations authorized.....	122a
Statement of proceeds of sales, etc., to be separate from Book of Estimates.....	100a	Forging, etc., certificate of discharge	125a
			131a

28a. *Temporary employees, War Department.*—For the temporary employment of such additional force of clerks and other employees as in the judgment of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the existing situation may demand, \$4,261,232. *Act of Oct. 6, 1917 (40 Stat. 351).*

(See paragraph 44d, post.)

28b. *Same—Report to Congress as to number, compensation, etc.*—The Secretary of War shall submit to Congress on the first day of its next regular session a statement showing by bureaus or offices the number and designation of the persons employed hereunder and the annual rate of compensation paid to each. *Id.*

28c. *Limit as to number receiving maximum compensation.*—No more than thirty persons shall be employed hereunder at a rate of compensation in excess of \$1,800 per annum each and not exceeding \$2,400 per annum each. *Id.*

30a. *Details for service outside of District restricted.*—In expending appropriations made in this Act persons in the classified service at Washington, District of Columbia, shall not be detailed for service outside of the District of Columbia except for or in connection with work pertaining directly to the service at the seat of government of the department or other Government establishment from which the detail is made: *Provided*, That nothing in this section shall be deemed to apply to the investigation of any matter or the preparation, prosecution, or defense of any suit by the Department of Justice. *Sec. 5, Acts of May 10, 1916, and Mar. 3, 1917 (39 Stat. 120, 1121).*

(See paragraph 205o, post.)

35a. *Lump-sum appropriations, payment of additional salaries to employees from, forbidden.*—It shall not be lawful hereafter to pay to any person, employed in the service of the United States under any general or lump-sum appropriation, any sum additional to the regular compensation received for or attached to any employment held prior to an appointment or designation as acting for or instead of an occupant of any other office or employment. This provision shall not be construed as prohibiting regular and permanent appointments by promotion from lower to higher grades of employments. *Sec. 12, Act of Aug. 1, 1914 (38 Stat. 680).*

36a. *Transfer of clerks, etc., of executive departments to independent establishments, etc.*—Section five of the Act of June twenty-second, nineteen hundred and six, prohibiting the transfer of employees from one executive department to another, shall apply with equal force and effect to the transfer of employees from executive departments to independent establishments and vice versa and to the transfer of employees from one independent establishment to another: *Provided*, That the United States Shipping Board Emergency Fleet Corporation shall be considered a Government establishment for the purposes of this section. *Sec. 5, Act of June 22, 1906 (34 Stat. 449), as amended by sec. 6, Act of Oct. 6, 1917 (40 Stat. 383).*

36b. *Employment of civil employees of executive departments, etc., in other executive departments, etc., at increased rate of compensation prohibited.*—No civil employee in any of the executive departments or other Government establishments, or who has been employed therein within the period of one year next preceding his proposed employment in any other executive department or other Govern-

ment establishment, shall be employed hereafter and paid from a lump-sum appropriation in any other executive department or other Government establishment at an increased rate of compensation. *Sec. 7, Act of Oct. 6, 1917 (40 Stat. 383).*

36c. *Increase of compensation of civil employees of executive departments, etc., employed in other departments, etc., within one year from such employment prohibited.*—And no civil employee in any of the executive departments or other Government establishments or who has been employed therein within the period of one year next preceding his proposed employment in any other executive department or other Government establishment and who may be employed in another executive department or other Government establishment shall be granted an increase in compensation within the period of one year following such reemployment. *Id.*, 384.

36d. *United States Shipping Board Emergency Fleet Corporation deemed a Government establishment.*—The United States Shipping Board Emergency Fleet Corporation shall be considered a Government establishment for the purposes of this section. *Id.*

36e. *Section 5, Act of June 22, 1906, not repealed.*—This section shall not be construed to repeal section five¹ of the Act of June twenty-second, nineteen hundred and six, which prohibits the transfer of employees from one department to another. *Id.*

40a. *Officers and employees of executive departments, etc., established and to continue from year to year.*—The officers and employees of the United States whose salaries are herein appropriated for are established and shall continue from year to year to the extent they shall be appropriated for by Congress. *Sec. 6, Act of Mar. 4, 1915 (38 Stat. 1049).*

BUREAU OF EFFICIENCY.

40b. *Created as independent establishment.*—Hereafter the Division of Efficiency of the Civil Service Commission shall be an independent establishment and shall be known as the Bureau of Efficiency; and the officers and employees of the said division shall be transferred to the Bureau of Efficiency without reappointment, and the records and papers pertaining to the work of the said division and the furniture, equipment, and supplies that have been purchased for it shall be transferred to the said bureau. *Act of Feb. 28, 1916 (39 Stat. 15).*

40c. *Duties relating to efficiency ratings transferred to.*—The duties relating to efficiency ratings imposed upon the Civil Service Commission by section four of the legislative, executive, and judicial appropriation Act approved August twenty-third, nineteen hundred

¹ See paragraph 36, ante, or 34 Stat. 449.

and twelve, and the duty of investigating the administrative needs of the service relating to personnel in the several executive departments and independent establishments, imposed on the Civil Service Commission by the legislative, executive, and judicial appropriation Act approved March fourth, nineteen hundred and thirteen, are transferred to the Bureau of Efficiency. *Id.*

40d. *Same—Establish and maintain system of efficiency ratings, investigate duplication of work, etc.*—To enable the Bureau of Efficiency, authorized by the urgent deficiency appropriation Act approved February twenty-eighth, nineteen hundred and sixteen, to establish and maintain a system of efficiency ratings, to investigate administrative needs of the service relating to personnel in the several executive departments and independent establishments, required by legislative, executive, and judicial appropriation Acts for the fiscal years nineteen hundred and thirteen and nineteen hundred and fourteen, respectively, and to investigate duplication of statistical and other work and methods of business in the various branches of the Government service * * *. *Act of May 10, 1916 (39 Stat. 76).*

40e. *Same—Investigate methods of auditing accounts of disbursing officers, etc.*—The Bureau of Efficiency shall investigate the methods of examining and auditing claims against the United States and accounts of disbursing officers and of accounting for receipts and disbursements and shall submit a report to the Secretary of the Treasury and to Congress, with recommendations, at its next regular session. *Act of Mar. 3, 1917 (39 Stat., 1080).*

40f. *Same—Investigate and report upon methods of transacting business in Civil Service Commission.*—The Bureau of Efficiency shall investigate the methods of transacting the public business in the Civil Service Commission and report to Congress through the President at the next regular session of Congress. The officers and employees of the Civil Service Commission are hereby directed to furnish said bureau with such information as it may require to carry out this provision. *Id.*

40g. *Same—Ascertain rates of pay of State and municipal employees.*—The Bureau of Efficiency shall ascertain the rates of pay of employees of various State and municipal governments and commercial institutions in different parts of the United States and shall submit to Congress at its next regular session a report showing how such rates compare with the rates of pay of employees of the Federal Government performing similar services. *Id., 1081.*

40h. *Same—Executive departments to furnish information, access to records, etc.*—Officers and employees of the executive departments and other establishments shall furnish authorized representatives of the Bureau of Efficiency with all information that the bureau may

require for the performance of the duties imposed on it by law, and shall give such representatives access to all records and papers that may be needed for that purpose. *Id.*

40i. *Same—Investigate classification, salary, and efficiency of employees of executive departments, etc.*—The Bureau of Efficiency shall investigate the classification, salary, and efficiency of the employees of the departments and independent establishments of the Government in the District of Columbia, and report fully or partially to Congress by January first, nineteen hundred and eighteen, as to needed equalization or reclassification, and if a partial report be submitted then a full report shall be submitted as soon thereafter as possible, with such recommendations as the bureau may deem proper. *Id.*

40j. *Same—Investigate and report upon duplication of service in executive departments, etc.*—The Bureau of Efficiency shall investigate duplication of service in the various executive departments and establishments of the Government, including bureaus and divisions, and make a report to the President thereon, and the President is hereby authorized, after such report shall have been made to him, wherever he finds such duplications to exist to abolish the same. Report of the action taken hereunder shall be made to Congress at its next regular session. *Sec. 8, id., 1122.*

44a. *Increased compensation at rate of ten and five per centum to employees of certain grades.*—To provide, during the fiscal year nineteen hundred and eighteen, for increased compensation at the rate of ten per centum per annum to employees who receive salaries at a rate per annum less than \$1,200, and for increased compensation at the rate of five per centum per annum to employees who receive salaries at a rate not more than \$1,800 per annum and not less than \$1,200 per annum, so much as may be necessary is appropriated.¹ (*Sec. 7, id., 1121.*)

44b. *Same—Application of; detailed reports to Congress.*—This section shall only apply to the employees who are appropriated for in this Act specifically and under lump sums or whose employment is authorized herein: *Provided further*, That detailed reports shall be submitted to Congress on the first day of the next session showing the number of persons, the grades or character of positions, the

¹ With reference to the provisions in the various annual appropriation acts for the fiscal years 1918 for 5 and 10 per cent increases in compensation of civilian employees.

Held, That persons employed by the Government from day to day, or to do a particular job, or whose compensation is not fixed by law or regulation, but by agreement at the time when the services are engaged, are not entitled to the percentage increases of compensation under the statutes referred to, such persons not being employees of the United States within the meaning of such statutes.

(Comp. Treas., June 28, 1917, War Dept. Bul. 49, Aug. 22, 1917.)

original rates of compensation, and the increased rates of compensation provided for herein. *Id.*

44c. *Same—Increase only applies to employees of Military Establishment on rolls at close of preceding year.*—During the fiscal year nineteen hundred and eighteen, all civilian employees in the Military Establishment, including on the lump-sum rolls only those persons who are carried thereon at the close of the fiscal year ending June thirtieth, nineteen hundred and seventeen, shall receive increased compensation at the rate of 10 per centum per annum to such employees who receive salaries or wages in such establishment at a rate per annum of less than \$1,200, and increased compensation at a rate of five per centum per annum to such employees who receive salaries or wages in such establishment at a rate of not more than \$1,800 per annum and not less than \$1,200 per annum: *And provided further,* That so much as may be necessary for this purpose is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.¹—*Act of May 12, 1917 (40 Stat., 74).*

44d. *Temporary employment of additional force; report to Congress as to number, designation, and compensation.*—For the temporary employment of such additional force of clerks and other employees as in the judgment of the Secretary of War may be proper

¹ The question was presented whether Army field clerks and fields clerks, Quartermaster Corps, are entitled to the benefits of the provision in the Army appropriation act, approved May 12, 1917, for 5 and 10 per cent increases in the compensation of "all civilian employees in the Military Establishment."

Held, that Army field clerks and field clerks, Quartermaster Corps, not being regarded as civilian employees, they are not entitled to the benefits of the statute mentioned.

(Comp. Treas., June 14 and 27, 1917. War Dept. Bul. 49, Aug. 22, 1917.)

The following question was presented for decision:

"A civilian employee being in the service prior to June 30, 1917, in the capacity of laborer is dropped on July 5, 1917, as such, and reemployed on July 6 as packer. Is he entitled to the 10 per cent increase in pay under the act making appropriations for the support of the Army for the fiscal year ending June 30, 1918, and for other purposes, and upon what is it based?"

Held, that if the employee in question is a civilian employee in the Military Establishment and was borne on a lump-sum roll on June 30, 1917, he is entitled to the percentage increase, *on his compensation as packer*, provided the position or rating of packer existed or was recognized at the close of the fiscal year 1917 and the rate of compensation thereof does not exceed \$1,800 per annum or \$5 per day; but if the position or rating of packer is a newly established one not recognized during the fiscal year 1917, the employee receiving such rating is entitled only to the compensation fixed therefor without any percentage increase.

(Comp. Treas., Aug. 7, 1917. War Dept. Bul. 54, Sept. 26, 1917.)

Certain employees of the Military Establishment who were in the service June 30, 1917, and borne on lump-sum rolls were thereafter promoted to other positions in the military service also payable from lump-sum appropriations. As to whether they were entitled to the percentage increases provided for in the Army appropriation act approved May 12, 1917, on the salaries of the positions to which they were promoted.

Held, that if the positions or rating to which they were promoted existed or were recognized in the Military Establishment at the close of the fiscal year 1917, such employees were entitled to the percentage increases.

(Comp. Treas., Aug. 27, 1917. *Id.*)

and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the existing situation may demand, \$900,000: *Provided*, That the Secretary of War shall submit to Congress on the first day of its next regular session a statement showing by bureaus or offices the number and designation of the persons employed hereunder and the annual rate of compensation paid to each. *Act of June 15, 1917 (40 Stat. 184).*

(See paragraphs 28a-28c, ante.)

44e. *Appropriations available during fiscal years 1917 and 1918.*—The appropriations contained in this act,¹ unless otherwise specified herein, shall be available during the fiscal years nineteen hundred and seventeen and nineteen hundred and eighteen. *Sec. 2, Id., 217.*

44f. *Appropriations available for paying obligations incurred prior to passage of Act.*—The appropriations contained herein shall be available for the payment of obligations on account of the existing emergency incurred prior to the passage of this Act¹ and which are properly chargeable to such appropriations. *Sec. 3, Id.*

44g. *Annual report to Congress of expenditures under Act.*—In addition to the reports now required by law, the Secretaries of the Treasury, War, and Navy shall each on the first Monday in December, nineteen hundred and seventeen, and annually thereafter, transmit to the Congress a detailed statement of all expenditures under this Act.¹

Sec. 5, Id.

44h. *Rules for division of time and computing pay of Government employees.*—Hereafter, where the compensation of any person in the service of the United States is annual or monthly, the following rules for division of time and computation of pay for services rendered are hereby established: Annual compensation shall be divided into twelve equal installments, one of which shall be the pay for each calendar month; and in making payments for a fractional part of a month one-thirtieth of one of such installments, or of a monthly compensation, shall be the daily rate of pay. For the purpose of computing such compensation and for computing time for services rendered during a fractional part of a month in connection with annual or monthly compensation, each and every month shall be held to consist of thirty days, without regard to the actual number of days in any calendar month, thus excluding the thirty-first of any calendar month from the computation and treating February as

¹Act making appropriations to supply urgent deficiencies in appropriations for the Military and Naval Establishments.

if it actually had thirty days. Any person entering the service of the United States during a thirty-one day month and serving until the end thereof shall be entitled to pay for that month from the date of entry to the thirtieth day of said month, both days inclusive; and any person entering said service during the month of February and serving until the end thereof shall be entitled to one month's pay, less as many thirtieths thereof as there were days elapsed prior to date of entry: *Provided*, That for one day's unauthorized absence on the thirty-first day of any calendar month one day's pay shall be forfeited. *Sec. 6, Act of June 30, 1906 (34 Stat., 763).*

(See paragraph 626, ante, for rules for division of time and computation of pay of enlisted men.)

44i. *Increased compensation to piecework and per diem employees, computation of.*—In determining the right of employees to increased compensation as heretofore authorized by law at rates of five and ten per centum per annum for the fiscal year nineteen hundred and eighteen, such employees as are employed on piecework, by the hour, or at per diem rates, shall be entitled to receive, from July first, nineteen hundred and seventeen, to June thirtieth, nineteen hundred and eighteen, inclusive, the increased compensation at the rate of ten per centum when the fixed rate of compensation at the regular working hours and on the basis of three hundred and twelve days in said year would amount to less than \$1,200, and at the rate of five per centum when not less than \$1,200 and not more than \$1,800: *Provided*, That this method of computation shall not apply to any per diem employees regularly paid a per diem for every day in the year.¹ *Sec. 8, Act of Oct. 6, 1917 (40 Stat. 384).*

COMPENSATION FOR INJURIES TO FEDERAL EMPLOYEES.

66a. *No compensation for injuries from certain causes.*—The United States shall pay compensation as hereinafter specified for the disability or death of an employee resulting from a personal injury sustained while in the performance of his duty,² but no compensation shall be paid if the injury or death is caused by the willful misconduct of the employee or by the employee's intention to bring about the injury or death of himself or of another, or if intoxication of the

¹ This method of computation overrules the decision of the Comptroller of the Treasury dated May 28, 1917, published in War Department Bulletin 42, July 19, 1917.

² Civilian employees of the War Department injured while in line of duty are entitled to compensation under the United States Employees' Compensation Act of September 7, 1916 (39 Stat. 742). This Act is administered by the United States Employees' Compensation Commission under the Department of Labor and application should be made to this Commission for any information pertaining to the general provisions and operations of the Act. (Dig. Opins. J. A. G., February, 1918.)

injured employee is the proximate cause of the injury or death. *Sec. 1, act of Sept. 7, 1916 (39 Stat. 742).*

66b. *No compensation during first three days of disability.*—During the first three days of disability the employee shall not be entitled to compensation except as provided in section nine. No compensation shall at any time be paid for such period. *Sec. 2, id. 743.*

66c. *Compensation for total disability.*—If the disability is total the United States shall pay to the disabled employee during such disability a monthly compensation equal to sixty-six and two-thirds per centum of his monthly pay, except as hereinafter provided. *Sec. 3, id.*

66d. *Compensation for partial disability.*—If the disability is partial the United States shall pay to the disabled employee during such disability a monthly compensation equal to sixty-six and two-thirds per centum of the difference between his monthly pay and his monthly wage-earning capacity after the beginning of such partial disability. The commission may, from time to time, require a partially disabled employee to make an affidavit as to the wages which he is then receiving. In such affidavit the employee shall include a statement of the value of housing, board, lodging, and other advantages which are received from the employer as a part of his remuneration and which can be estimated in money. If the employee, when required, fails to make such affidavit, he shall not be entitled to any compensation while such failure continues, and the period of such failure shall be deducted from the period during which compensation is payable to him. *Sec. 4, id.*

66e. *Same—Compensation ceases on refusal to perform suitable work.*—If a partially disabled employee refuses to seek suitable work or refuses or neglects to work after suitable work is offered to, procured by, or secured for him, he shall not be entitled to any compensation. *Sec. 5, id.*

66f. *Maximum and minimum compensation for total disability, and maximum compensation for partial disability.*—The monthly compensation for total disability shall not be more than \$66.67 nor less than \$33.33, unless the employee's monthly pay is less than \$33.33, in which case his monthly compensation shall be the full amount of his monthly pay. The monthly compensation for partial disability shall not be more than \$66.67. In the case of persons who at the time of the injury were minors or employed in a learner's capacity and who were not physically or mentally defective, the commission shall, on any review after the time when the monthly wage-earning capacity of such persons would probably, but for the injury, have increased, award compensation based on such probable monthly wage-earning capacity. The commission may, on any review after the time when the monthly wage-earning capacity of the disabled employee would probably, irrespective of the injury, have decreased

on account of old age, award compensation based on such probable monthly wage-earning capacity. *Sec. 6, id.*

66g. *During receipt of compensation to receive no other salary or pay from United States, except for services rendered or as Army or Navy pension.*—As long as the employee is in receipt of compensation under this Act, or, if he has been paid a lump sum in commutation of installment payments, until the expiration of the period during which such installment payments would have continued, he shall not receive from the United States any salary, pay, or remuneration whatsoever except in return for services actually performed, and except pensions for service in the Army or Navy of the United States. *Sec. 7, id.*

66h. *Compensation may begin four days after expiration of annual or sick leave.*—If at the time the disability begins the employee has annual or sick leave to his credit he may, subject to the approval of the head of the department, use such leave until it is exhausted, in which case his compensation shall begin on the fourth day of disability after the annual or sick leave has ceased. *Sec. 8, id.*

66i. *Injured employees entitled to reasonable medical, surgical, and hospital services and supplies.*—Immediately after an injury sustained by an employee while in the performance of his duty, whether or not disability has arisen, and for a reasonable time thereafter, the United States shall furnish to such employee reasonable medical, surgical, and hospital services and supplies unless he refuses to accept them. Such services and supplies shall be furnished by United States medical officers and hospitals, but where this is not practicable shall be furnished by private physicians and hospitals designated or approved by the commission and paid for from the employees' compensation fund. If necessary for the securing of proper medical, surgical, and hospital treatment, the employee, in the discretion of the commission, may be furnished transportation at the expense of the employees' compensation fund.¹ *Sec. 9, id.*

¹ *Held*, that under this act United States hospitals and facilities are free to injured employees of any department of the Government, and that the appropriations for the various executive departments or other Government establishments or services may not lawfully be reimbursed from the compensation fund provided for injured Government employees for the cost of medical or hospital treatment of such employees unless such treatment was furnished by private physicians or hospitals at the cost of the executive department, establishment, or service seeking reimbursement. (Comp. Treas., June 7, 1917, War Dept. Bul. 49, Aug. 22, 1917.)

On the question whether there was any objection to the treatment by the Medical Department of the employees of contractors for buildings at cantonments.

Held, that while the functions of the Medical Department are not defined by statute, they are necessarily limited by the terms of appropriations for the support of the Army; that the appropriations for the Medical Department appear to be available only for the medical care and treatment of persons connected with the military establishment and, under authority of the act of September 7, 1916 (39 Stat., 748), of Government employees generally who are injured in the performance of their duty as such employees; and that while the medical

66j. *Death resulting from injury within six years, rates of pay.*—If death results from the injury within six years, the United States shall pay to the following persons for the following periods a monthly compensation equal to the following percentages of the deceased employee's monthly pay, subject to the modification that no compensation shall be paid where the death takes place more than one year after the cessation of disability resulting from such injury, or, if there has been no disability preceding death, more than one year after the injury. *Sec. 10, id., 744.*

66k. *Same—To widow, if there is no child.*—To the widow, if there is no child, thirty-five per centum. This compensation shall be paid until her death or marriage. *Id., clause A.*

66l. *Same—To the widower, if there is no child.*—To the widower, if there is no child, thirty-five per centum if wholly dependent for support upon the deceased employee at the time of her death. This compensation shall be paid until his death or marriage. *Id., clause B.*

66m. *Same—To the widow or widower, if there is a child, and to minor child.*—To the widow or widower, if there is a child, the compensation payable under clause (A) or clause (B) and in addition thereto ten per centum for each child, not to exceed a total of sixty-six and two thirds per centum for such widow or widower and children. If a child has a guardian other than the surviving widow or widower, the compensation payable on account of such child shall be paid to such guardian. The compensation payable on account of any child shall cease when he dies, marries, or reaches the age of eighteen, or, if over eighteen, and incapable of self-support, becomes capable of self-support. *Id., clause C.*

66n. *Same—To children in absence of widow or widower.*—To the children, if there is no widow or widower, twenty-five per centum for one child and ten per centum additional for each additional child, not to exceed a total of sixty-six and two-thirds per centum, divided among such children share and share alike. The compensation of each child shall be paid until he dies, marries, or reaches the age of eighteen, or, if over eighteen and incapable of self-support, becomes capable of self-support. The compensation of a child under legal age shall be paid to its guardian. *Id., clause D.*

66o. *Same—To dependent parents in absence of widow, widower, or child.*—To the parents, if one is wholly dependent for support upon the deceased employee at the time of his death and the other is not dependent to any extent, twenty-five per centum; if both are wholly dependent, twenty per centum to each; if one is or both are

care of contractors' employees may be authorized from appropriations for cantonment construction, the limitations on the use of Army appropriations would preclude payments from such appropriations of the necessary expenditures involved. (War Dept. Bul. 54, Sept. 26, 1917.)

partly dependent, a proportionate amount in the discretion of the commission. *Id.*, clause E.

66p. *Same*—*To dependent parents where there is widow, widower, or child.*—The above percentages shall be paid if there is no widow, widower, or child. If there is a widow, widower, or child, there shall be paid so much of the above percentages as, when added to the total percentages payable to the widow, widower, and children, will not exceed a total of sixty-six and two-thirds per centum. *Id.*

66q. *Same*—*To dependent brothers, sisters, grandparents, and grandchildren, in absence of widow, widower, child, or dependent parent.*—To the brothers, sisters, grandparents, and grandchildren, if one is wholly dependent upon the deceased employee for support at the time of his death, twenty per centum to such dependent; if more than one are wholly dependent, thirty per centum, divided among such dependents share and share alike; if there is no one of them wholly dependent, but one or more partly dependent, ten per centum divided among such dependents share and share alike. *Id.*, clause F.

66r. *Same*—*To dependent brothers, sisters, grandparents, and grandchildren, where there is widow, widower, child, or dependent parent.*—The above percentages shall be paid if there is no widow, widower, child, or dependent parent. If there is a widow, widower, child, or dependent parent, there shall be paid so much of the above percentages as, when added to the total percentage payable to the widow, widower, children, and dependent parents, will not exceed a total of sixty-six and two-thirds per centum. *Id.*, 745.

66s. *Same*—*Duration of compensation under clauses E and F.*—The compensation of each beneficiary under clauses (E) and (F) shall be paid for a period of eight years from the time of the death, unless before that time he, if a parent or grandparent, dies, marries, or ceases to be dependent, or, if a brother, sister, or grandchild, dies, marries, or reaches the age of eighteen, or, if over eighteen and incapable of self-support, becomes capable of self-support. The compensation of a brother, sister, or grandchild under legal age shall be paid to his or her guardian. *Id.*, clause G.

66t. *Same*—*Definition of terms child, brother, sister, parent, widow, widower, etc.*—As used in this section, the term "child" includes stepchildren, adopted children, and posthumous children, but does not include married children. The terms "brother" and "sister" include stepbrothers and stepsisters, half brothers and half sisters, and brothers and sisters by adoption, but do not include married brothers or married sisters. All of the above terms and the term "grandchild" include only persons who at the time of the death of the deceased employee are under eighteen years of age or over that

age and incapable of self-support. The term "parent" includes step-parents and parents by adoption. The term "widow" includes only the decedent's wife living with or dependent for support upon him at the time of his death. The term "widower" includes only the decedent's husband dependent for support upon her at the time of her death. The terms "adopted" and "adoption," as used in this clause, include only legal adoption prior to the time of the injury. *Id.*, clause H.

66u. *Compensation of remaining persons where compensation of one person ceases.*—Upon the cessation of compensation under this section to or on account of any person, the compensation of the remaining persons entitled to compensation for the unexpired part of the period during which their compensation is payable shall be that which such persons would have received if they had been the only persons entitled to compensation at the time of the decedent's death.. *Id.*, clause I.

66v. *Commission may modify apportionment to avoid injustice when made to two or more classes.*—In case there are two or more classes of persons entitled to compensation under this section and the apportionment of such compensation, above provided, would result in injustice, the commission may, in its discretion, modify the apportionment to meet the requirements of the case. *Id.*, clause J.

66w. *Same—Total monthly compensation not to exceed monthly pay at a maximum of one hundred dollars and a minimum of fifty dollars.*—In computing compensation under this section, the monthly pay shall be considered not to be more than \$100, nor less than \$50, but the total monthly compensation shall not exceed the monthly pay computed as provided in section twelve. *Id.*, clause K.

66x. *Same—Penalty for accepting compensation after right to ceases.*—Any person entitled to compensation under this section, whose compensation by the terms of this section ceases upon his marriage, accepts any payments of compensation after his marriage he shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than one year, or by both such fine and imprisonment. *Id.*, clause L.

66y. *Burial expenses of employees dying from injuries, and transportation of their remains.*—If death results from the injury within six years the United States shall pay to the personal representative of the deceased employee burial expenses not to exceed \$100, in the discretion of the commission. In the case of an employee whose home is within the United States, if his death occurs away from his home office or outside of the United States, and if so desired by his relatives, the body shall, in the discretion of the commission, be embalmed and transported in a hermetically sealed casket to the home of the employee. Such burial expenses shall not be paid and

such transportation shall not be furnished where the death takes place more than one year after the cessation of disability resulting from such injury, or, if there has been no disability preceding death, more than one year after the injury. *Sec. 11, id.*

66z. *Practice of particular branch of service to be followed in computing monthly pay; overtime pay not to be counted.*—In computing the monthly pay the usual practice of the service in which the employee was employed shall be followed. Subsistence and the value of quarters furnished an employee shall be included as part of the pay, but overtime pay shall not be taken into account. *Sec. 12, id. 746.*

66aa. *Partial disability, method of determining employee's wage-earning capacity.*—In the determination of the employee's monthly wage-earning capacity after the beginning of partial disability, the value of housing, board, lodging, and other advantages which are received from his employer as a part of his remuneration and which can be estimated in money shall be taken into account. *Sec. 13, id.*

66bb. *Lump-sum payment in certain cases in lieu of monthly compensation, method of determining amount of.*—In cases of death or of permanent total or permanent partial disability, if the monthly payment to the beneficiary is less than \$5 a month, or if the beneficiary is or is about to become a nonresident of the United States, or if the commission determines that it is for the best interests of the beneficiary, the liability of the United States for compensation to such beneficiary may be discharged by the payment of a lump sum equal to the present value of all future payments of compensation computed at four per centum true discount compounded annually. The probability of the beneficiary's death before the expiration of the period during which he is entitled to compensation shall be determined according to the American Experience Table of Mortality; but in case of compensation to the widow or widower of the deceased employee, such lump sum shall not exceed sixty months' compensation. The probability of the happening of any other contingency affecting the amount or duration of the compensation shall be disregarded. *Sec. 14, id.*

66cc. *Written notice of injury to employee, time limit for giving.*—Every employee injured in the performance of his duty, or some one on his behalf, shall, within forty-eight hours after the injury, give written notice thereof to the immediate superior of the employee. Such notice shall be given by delivering it personally or by depositing it properly stamped and addressed in the mail. *Sec. 15, id.*

66dd. *Same—Information which notice shall contain.*—The notice shall state the name and address of the employee, the year, month, day, and hour when and the particular locality where the injury occurred, and the cause and nature of the injury, and shall be signed

by and contain the address of the person giving the notice. *Sec. 16, id.*

66ee. *Same—Failure to give notice within time limit may be waived for cause.*—Unless notice is given within the time specified or unless the immediate superior has actual knowledge of the injury, no compensation shall be allowed, but for any reasonable cause shown, the commission may allow compensation if the notice is filed within one year after the injury. *Sec. 17, id.*

66ff. *Claim for compensation, time limit for and method of making.*—No compensation under this Act shall be allowed to any person, except as provided in section thirty-eight, unless he or some one on his behalf shall, within the time specified in section twenty, make a written claim therefor. Such claim shall be made by delivering it at the office of the commission or to any commissioner or to any person whom the commission may by regulation designate, or by depositing it in the mail properly stamped and addressed to the commission or to any person whom the commission may by regulation designate. *Sec. 18, id.*

66gg. *Same—To be made on forms, accompanied by certificate, etc.*—Every claim shall be made on forms to be furnished by the commission and shall contain all the information required by the commission. Each claim shall be sworn to by the person entitled to compensation or by the person acting on his behalf, and, except in case of death, shall be accompanied by a certificate of the employee's physician stating the nature of the injury and the nature and probable extent of the disability. For any reasonable cause shown the commission may waive the provisions of this section. *Sec. 19, id.*

66hh. *Same—Original claims for disability and death, time limit.*—All original claims for compensation for disability shall be made within sixty days after the injury. All original claims for compensation for death shall be made within one year after the death. For any reasonable cause shown the commission may allow original claims for compensation for disability to be made at any time within one year. *Sec. 20, id. 747.*

66ii. *Examination of employees receiving compensation, method of making, and penalty for refusal to submit to.*—After the injury the employee shall, as frequently and at such times and places as may be reasonably required, submit himself to examination by a medical officer of the United States or by a duly qualified physician designated or approved by the commission. The employee may have a duly qualified physician designated and paid by him present to participate in such examination. For all examinations after the first the employee shall, in the discretion of the commission, be paid his reasonable traveling and other expenses and loss of wages incurred in order to submit to such examination. If the employee

refuses to submit himself for or in any way obstructs any examination, his right to claim compensation under this Act shall be suspended until such refusal or obstruction ceases. No compensation shall be payable while such refusal or obstruction continues, and the period of such refusal or obstruction shall be deducted from the period for which compensation is payable to him. *Sec. 21, id.*

66jj. *Same—Appointment of third physician to examine in case of disagreement between physicians of commission and employees.*—In case of any disagreement between the physician making an examination on the part of the United States and the employee's physician the commission shall appoint a third physician, duly qualified, who shall make an examination. *Sec. 22, id.*

66kk. *Same—Fees for examinations on part of United States to be fixed by commission.*—Fees for examinations made on the part of the United States under sections twenty-one and twenty-two by physicians who are not already in the service of the United States shall be fixed by the commission. Such fees, and any sum payable to the employee under section twenty-one, shall be paid out of the appropriation for the work of the commission. *Sec. 23, id.*

66ll. *Report of injury to be made to commission by employee's superior.*—Immediately after an injury to an employee resulting in his death or in his probable disability his immediate superior shall make a report to the commission containing such information as the commission may require, and shall thereafter make such supplementary reports as the commission may require. *Sec. 24, id.*

66mm. *No payment to assignee or creditor.*—Any assignment of a claim for compensation under this Act shall be void, and all compensation and claims therefor shall be exempt from all claims of creditors. *Sec. 25, id.*

66nn. *Injury involving claim against third person, etc., assignment of to United States.*—If an injury or death for which compensation is payable under this Act is caused under circumstances creating a legal liability upon some person other than the United States to pay damages therefor, the commission may require the beneficiary to assign to the United States any right of action he may have to enforce such liability of such other person or any right which he may have to share in any money or other property received in satisfaction of such liability of such other person, or the commission may require said beneficiary to prosecute said action in his own name. *Sec. 26, id.*

66oo. *Same—Penalty for failure to assign or to prosecute claim in own name.*—If the beneficiary shall refuse to make such assignment or to prosecute said action in his own name when required by the commission, he shall not be entitled to any compensation under this Act. *Id.*

66pp. *Same—Disposition by United States of money received in settlement of such claim.*—The cause of action when assigned to the United States may be prosecuted or compromised by the commission, and if the commission realizes upon such cause of action, it shall apply the money or other property so received in the following manner: After deducting the amount of any compensation already paid to the beneficiary and the expenses of such realization or collection, which sum shall be placed to the credit of the employees' compensation fund, the surplus, if any, shall be paid to the beneficiary and credited upon any future payments of compensation payable to him on account of the same injury. *Id.*

66qq. *Money received by beneficiary in settlement of third person's liability for the injury, disposition of.*—If an injury or death for which compensation is payable under this Act is caused under circumstances creating a legal liability in some person other than the United States to pay damages therefor, and a beneficiary entitled to compensation from the United States for such injury or death receives, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other person, such beneficiary shall, after deducting the costs of suit and a reasonable attorney's fee, apply the money or other property so received in the following manner. *Sec. 27, id.*

66rr. *Same—If compensation has been paid in whole or in part by United States.*—If his compensation has been paid in whole or in part, he shall refund to the United States the amount of compensation which has been paid by the United States and credit any surplus upon future payments of compensation payable to him on account of the same injury. Any amount so refunded to the United States shall be placed to the credit of the employees' compensation fund. *Id., clause A, 748.*

66ss. *Same—If no compensation has been paid by United States.*—If no compensation has been paid to him by the United States, he shall credit the money or other property so received upon any compensation payable to him by the United States on account of the same injury. *Id., clause B.*

66tt. *United States Employees' Compensation Commission, composition, term, and salary of.*—A commission is hereby created, to be known as the United States Employees' Compensation Commission, and to be composed of three commissioners appointed by the President, by and with the advice and consent of the Senate, one of whom shall be designated by the President as chairman. No commissioner shall hold any other office or position under the United States. No more than two of said commission shall be members of the same political party. One of said commissioners shall be appointed for a

term of two years, one for a term of four years, and one for a term of six years, and at the expiration of each of said terms the commissioner then appointed shall be appointed for a period of six years. Each commissioner shall receive a salary of \$4,000 a year. The principal office of said commission shall be in Washington, District of Columbia, but the said commission is authorized to perform its work at any place deemed necessary by said commission, subject to the restrictions and limitations of this Act. *Sec. 28, id.*

66uu. *Same—Pending claims transferred to the commission, together with certain clerks.*—Upon the organization of said commission and notification to the heads of all executive departments that the commission is ready to take up the work devolved upon it by this Act, all commissions and independent bureaus, by or in which payments for compensation are now provided, together with the adjustment and settlement of such claims, shall cease and determine, and such executive departments, commissions, and independent bureaus shall transfer all pending claims to said commission to be administered by it. The said commission may obtain in all cases, in addition to the reports provided in section twenty-four, such information and such reports from employees of the departments as may be agreed upon by the commission and the heads of the respective departments. All clerks and employees now exclusively engaged in carrying on said work in the various executive departments, commissions, and independent bureaus shall be transferred to and become employees of the commission at their present grades and salaries. *Sec. 28a, id.*

66vv. *Commission authorized to issue process, administer oaths, etc.*—The commission, or any commissioner by authority of the commission, shall have power to issue subpoenas for and compel the attendance of witnesses within a radius of one hundred miles, to require the production of books, papers, documents, and other evidence, to administer oaths, and to examine witnesses upon any matter within the jurisdiction of the commission. *Sec. 29, id.*

66ww. *Same—Assistants, clerks, and other employees.*—The commission shall have such assistants, clerks, and other employees as may be from time to time provided by Congress. They shall be appointed from lists of eligibles to be supplied by the Civil Service Commission, and in accordance with the civil-service law. *Sec. 30, id.*

66xx. *Commission to submit annual estimates.*—The commission shall submit annually to the Secretary of the Treasury estimates of the appropriations necessary for the work of the commission. *Sec. 31, id. 749.*

66yy. *Same—To make rules and regulations for enforcement of, and to decide questions arising under Act.*—The commission is authorized to make necessary rules and regulations for the enforcement

of this Act, and shall decide all questions arising under this Act. *Sec. 32, id.*

66zz. *Same—Annual report to Congress.*—The commission shall make to Congress at the beginning of each regular session a report of its work for the preceding fiscal year, including a detailed statement of appropriations and expenditures, a detailed statement showing receipts of and expenditures from the employees' compensation fund, and its recommendations for legislation. *Sec. 33, id.*

66aaa. *Appropriation for expenses of commission, fiscal year 1917.*—For the fiscal year ending June thirtieth, nineteen hundred and seventeen, there is hereby authorized to be appropriated, from any money in the Treasury not otherwise appropriated, the sum of \$50,000 for the work of the commission, including salaries of the commissioners and of such assistants, clerks, and other employees as the commission may deem necessary, and for traveling expenses, expenses of medical examinations under sections twenty-one and twenty-two, reasonable traveling and other expenses and loss of wages payable to employees under section twenty-one, rent and equipment of offices, purchase of books, stationery, and other supplies, printing and binding to be done at the Government Printing Office, and other necessary expenses. *Sec. 34, id.*

66bbb. *Permanent appropriation for employees' compensation fund.*—There is hereby authorized to be appropriated, from any money in the Treasury not otherwise appropriated, the sum of \$500,000, to be set aside as a separate fund in the Treasury, to be known as the employees' compensation fund. To this fund there shall be added such sums as Congress may from time to time appropriate for the purpose. Such fund, including all additions that may be made to it, is hereby authorized to be permanently appropriated for the payment of the compensation provided by this Act, including the medical, surgical, and hospital services and supplies provided by section nine, and the transportation and burial expenses provided by sections nine and eleven. The commission shall submit annually to the Secretary of the Treasury estimates of the appropriations necessary for the maintenance of the fund. *Sec. 35, id.*

66ccc. *Commission to make finding of facts and award on claim presented.*—The commission, upon consideration of the claim presented by the beneficiary, and the report furnished by the immediate superior and the completion of such investigation as it may deem necessary, shall determine and make a finding of facts thereon and make an award for or against payment of the compensation provided for in this Act. Compensation when awarded shall be paid from the employees' compensation fund. *Sec. 36, id.*

66ddd. *Same—Review of award on application or on its own motion.*—If the original claim for compensation has been made within

the time specified in section twenty, the commission may, at any time, on its own motion or on application, review the award, and, in accordance with the facts found on such review, may end, diminish, or increase the compensation previously awarded, or, if compensation has been refused or discontinued, award compensation. *Sec. 37, id.*

66eee. *Same—Cancellation and recovery of award paid under mistake of law or fact.*—If any compensation is paid under a mistake of law or of fact, the commission shall immediately cancel any award under which such compensation has been paid and shall recover, as far as practicable, any amount which has been so paid. Any amount so recovered shall be placed to the credit of the employees' compensation fund. *Sec. 38, id.*

66fff. *Penalty for false affidavit or statement in support of claim.*—Whoever makes, in any affidavit required under section four or in any claim for compensation, any statement, knowing it to be false, shall be guilty of perjury and shall be punished by a fine of not more than \$2,000, or by imprisonment for not more than one year, or by both such fine and imprisonment. *Sec. 39, id.*

66ggg. *Definition of terms used in Act.*—Wherever used in this Act—

The singular includes the plural and the masculine includes the feminine.

The term "employees" includes all civil employees of the United States and of the Panama Railroad Company.

The term "commission" shall be taken to refer to the United States Employees' Compensation Commission provided for in section twenty-eight.

The term "physician" includes surgeons.

The term "monthly pay" shall be taken to refer to the monthly pay at the time of the injury. *Sec. 40, id. 750.*

66hhh. *Repealing clause.*—All acts or parts of acts inconsistent with this Act are hereby repealed. *Sec. 41, id.*

66iii. *Compensation for injuries occurring prior to passage of Act to be paid under old law.*—For injuries occurring prior to the passage of this Act compensation shall be paid under the law in force at the time of the passage of this Act. *Id.*

66jjj. *Compensation, method of paying, where liability exists in Panama Railroad Company for the injury.*—If an injury or death for which compensation is payable under this Act is caused under circumstances creating a legal liability in the Panama Railroad Company to pay damages therefor under the laws of any State, Territory, or possession of the United States or of the District of Columbia or any foreign country, no compensation shall be payable until the person entitled to compensation releases to the Panama Railroad Company any right of action which he may have to enforce

such liability of the Panama Railroad Company, or until he assigns to the United States any right which he may have to share in any money or other property received in satisfaction of such liability of the Panama Railroad Company. *Id.*

66kkk. *Transfer of administration of Act as to employees of Panama Canal and Alaska Engineering Commission.*—The President may, from time to time, transfer the administration of this Act so far as employees of the Panama Canal and of the Panama Railroad Company are concerned to the governor of the Panama Canal, and so far as employees of the Alaskan Engineering Commission are concerned to the chairman of that commission, in which cases the words "commission" and "its" wherever they appear in this Act shall, so far as necessary to give effect to such transfer, be read "governor of the Panama Canal" or "chairman of the Alaskan Engineering Commission," as the case may be, and "his"; and the expenses of medical examinations under sections twenty-one and twenty-two, and the reasonable traveling and other expenses and loss of wages payable to employees under section twenty-one, shall be paid out of appropriations for the Panama Canal or for the Alaskan Engineering Commission or out of funds of the Panama Railroad, as the case may be, instead of out of the appropriation for the work of the commission. *Sec. 42, id.*

66lll. *Waiver of notice of claims as to employees of Panama Canal and Panama Railroad Company; modification of minimum limit as to aliens, etc.*—In the case of compensation to employees of the Panama Canal or of the Panama Railroad Company for temporary disability, either total or partial, the President may authorize the governor of the Panama Canal to waive, at his discretion, the making of the claim required by section eighteen. In the case of alien employees of the Panama Canal or of the Panama Railroad Company, or of any class or classes of them, the President may remove or modify the minimum limit established by section six on the monthly compensation for disability and the minimum limit established by clause (K) of section ten on the monthly pay on which death compensation is to be computed. The President may authorize the governor of the Panama Canal and the chairman of the Alaskan Engineering Commission to pay the compensation provided by this Act, including the medical, surgical, and hospital services and supplies provided by section nine and the transportation and burial expenses provided by sections nine and eleven, out of the appropriations for the Panama Canal and for the Alaskan Engineering Commission, such appropriations to be reimbursed for such payments by the transfer of funds from the employees' compensation fund. *Id.*

75a. *Authorized to exchange typewriters, adding machines, and other labor saving devices.*—The executive departments and other

Government establishments and all branches of the public service may hereafter exchange typewriters, adding machines, and other similar labor saving devices in part payment for new machines used for the same purpose as those proposed to be exchanged. There shall be submitted to Congress, on the first day of the session following the close of each fiscal year, a report showing, as to each exchange hereunder, the make of the article, the period of its use, the allowance therefor, and the article, make thereof, and price, including exchange value, paid or to be paid for each article procured through such exchange.¹ *Sec. 5, act of Mar. 4, 1915 (38 Stat. 1161).*

77a. Subscriptions for periodicals for executive departments.—Hereafter subscriptions to periodicals, which have been certified in writing by the respective heads of the executive departments or other Government establishments to be required for official use, may be paid in advance from appropriations available therefor.¹ *Sec. 5, act of Mar. 4, 1915 (38 Stat. 1049).*

81a. Business methods—Restriction on payments to experts to inaugurate new, etc.—No part of any money appropriated in this or any other Act shall be used for compensation or payment of expenses of accountants or other experts in inaugurating new or changing old methods of transacting the business of the United States or the District of Columbia unless authority for the employment of such services or payment of such expenses is stated in specific terms in the Act making provision therefor and the rate of compensation for such services or expenses is specifically fixed therein, or be used for compensation of or expenses for persons, aiding or assisting such accountants or other experts, unless the rate of compensation of or expenses for such assistants is fixed by officers or employees of the United States or District of Columbia having authority to do so, and such rates of compensation or expenses so fixed shall be paid only to the person so employed. *Sec. 5, act of Apr. 6, 1914 (38 Stat. 335).*

82a. Purchases of passenger-carrying vehicles restricted to specific authorization.—No appropriation made in this or any other Act shall be available for the purchase of any motor-propelled or horse-drawn passenger-carrying vehicle for the service of any of the executive departments or other Government establishments, or any branch of the Government service, unless specific authority is given therefor,

¹The general statutory provisions authorizing the exchange of typewriters, adding machines, and other similar labor-saving devices (sec. 5 of the general deficiency appropriation act, approved Mar. 4, 1915, 38 Stat., 1161) and the advance payment of subscriptions to periodicals (sec. 5, legislative, executive, and judicial appropriation act, approved Mar. 4, 1915, 38 Stat., 1049), held applicable to all branches of the public service for which appropriations are made by Congress, no specific statutory authority for the purpose in connection with the appropriations being deemed necessary. (War Dept. Bul. 18, Apr. 6, 1917.)

and after the close of the fiscal year nineteen hundred and fifteen there shall not be expended out of any appropriation made by Congress any sum for purchase, maintenance, repair, or operation of motor-propelled or horse-drawn passenger-carrying vehicles for any branch of the public service of the United States unless the same is specifically authorized by law, and in the estimates for the fiscal year nineteen hundred and sixteen and subsequent fiscal years there shall be submitted in detail estimates for such necessary appropriations as are intended to be used for purchase, maintenance, repair, or operation of all motor-propelled or horse-drawn passenger-carrying vehicles, specifying the sums required, the public purposes for which said vehicles are intended, and the officials or employees by whom the same are to be used.¹ *Sec. 5, act of July 16, 1914 (38 Stat. 508).*

87a. Estimates of appropriations, official to be designated to supervise and prepare for each department, etc.—Hereafter the head of each executive department and other Government establishment shall, on or before July first in every fiscal year, designate from among the officials employed therein one person whose duty it shall be to supervise the classification and compilation of all estimates of appropriations, including supplemental and deficiency estimates to be submitted by such department or establishment. In the performance of their duties persons so designated shall have due regard for the requirements of all laws respecting the preparation of estimates, including the manner and time of their submission through the Treasury Department to Congress; they shall also, as nearly as may be practicable, eliminate from all such estimates unnecessary words and make uniform the language commonly used in expressing purposes or conditions of appropriations. *Sec. 3, act of June 23, 1913 (38 Stat. 75).*

91a. Special or additional estimates, transmission of, to Congress.—The Secretary of the Treasury shall not hereafter transmit special or additional estimates of appropriations to Congress unless they shall conform to the requirements of section four of the Act approved June twenty-second, nineteen hundred and six (Thirty-fourth Statutes, page four hundred and forty-eight). *Sec. 4, act of Sept. 8, 1916 (39 Stat. 830).*

96a. Estimates for lump-sum appropriations, statements required in annual Book of Estimates.—There shall be submitted hereafter, in the annual Book of Estimates following every estimate for a general or lump-sum appropriation, except public buildings or other public works constructed under contract, a statement showing in parallel columns:

¹ *Held*, that ordinary motorcycles are passenger-carrying vehicles within the prohibition of the act. (Comp. Treas., Sept. 8, 1916. War Dept. Bull. 39, Oct. 6, 1916.)

First, the number of persons, if any, intended to be employed and the rates of compensation to each, and the amounts contemplated to be expended for each of any other objects or classes of expenditures specified or contemplated in the estimate, including a statement of estimated unit cost of any construction work proposed to be done; and

Second, the number of persons, if any, employed and the rate of compensation paid each, and the amounts expended for each other object or class of expenditure, and the actual unit cost of any construction work done, out of the appropriation corresponding to the estimate so submitted, during the completed fiscal year next preceding the period for which the estimate is submitted.

Other notes shall not be submitted following any estimate embraced in the annual Book of Estimates other than such as shall suggest changes in form or order of arrangement of estimates and appropriations and reasons for such changes. *Sec 10, act of Aug. 1, 1914 (38 Stat. 680), amending sec. 6, act of Aug. 24, 1912 (37 Stat. 487).*

96b. Same—*To be submitted according to uniform and concise methods.*—The information required in connection with estimates for general or lump-sum appropriations by section ten of the sundry civil appropriation Act, approved August first, nineteen hundred and fourteen, shall be submitted hereafter according to uniform and concise methods which shall be prescribed by the Secretary of the Treasury, but with reference to estimates for pay of mechanics and laborers there shall be submitted in detail only the ratings and trades and the rates per diem paid or to be paid. *Sec. 4, act of July 1, 1916 (39 Stat. 336).*

96c. Subsistence allowance outside of District of Columbia limited; estimates for.—The heads of executive departments and other Government establishments are authorized to prescribe per diem rates of allowance not exceeding \$4 in lieu of subsistence to persons engaged in field work or traveling on official business outside of the District of Columbia and away from their designated posts of duty when not otherwise fixed by law. For the fiscal year nineteen hundred and sixteen and annually thereafter estimates of appropriations from which per diem allowances are to be paid shall specifically state the rates of such allowances. *Sec. 13, act of Aug 1, 1914 (38 Stat. 680).*

96d. Same—*Restricted to actual absence, etc.*—On and after July first, nineteen hundred and fourteen, unless otherwise expressly provided by law, no officer or employee of the United States shall be allowed or paid any sum in excess of expenses actually incurred for subsistence while traveling on duty outside of the District of Columbia and away from his designated post of duty, nor any sum for

such expenses actually incurred in excess of \$5 per day; nor shall any allowance or reimbursement for subsistence be paid to any officer or employee in any branch of the public service of the United States in the District of Columbia unless absent from his designated post of duty outside of the District of Columbia, and then only for the period of time actually engaged in the discharge of official duties. *Act of Apr. 6, 1914 (38 Stat. 318).*

98a. *Report to Congress plans for improvement of harbors, etc., to facilitate operation of fleets for their defense.*—The Secretary of War and the Secretary of the Navy are authorized and directed to report to Congress at the earliest practicable date:

First. Specific plans for improvement of the harbors and canals and connecting channels which, in their judgment, will best provide adequate facilities for operations of the fleet for defense of the harbors on the Atlantic, Gulf, and Pacific coasts of the United States.

Second. The feasible extensions requisite to make existing approved projects for improvement of the aforementioned harbors, canals, and channels available for the purposes stated in the foregoing paragraph.

Third. The cost of each such several improvements calculated upon the basis of completion thereof under contract within five years. *Act of Aug. 29, 1916 (39 Stat. 618).*

99a. *Rented buildings, District of Columbia, statement to include details of floor space, etc.*—Hereafter the statement of buildings rented within the District of Columbia for use of the Government, required by the act of July sixteenth, eighteen hundred and ninety-two (Statutes at Large, volume twenty-seven, page one hundred and ninety-nine),¹ shall indicate as to each building rented the area thereof in square feet of available floor space for Government uses, the rate paid per square foot for such floor space, the assessed valuation of each building, and what proportion, if any, of the rental paid includes heat, light, elevator, or other service. *Sec. 3, act of May 1, 1913 (38 Stat. 3.)*

99b. *Executive departments authorized to lease storage accommodations.*—The heads of the several executive departments are authorized to enter into contracts for the lease, for periods of not exceeding six years, of modern fireproof storage accommodations within the District of Columbia for their respective departments, at rates per square foot of available floor space not exceeding 25 cents, payable from appropriations that Congress may from time to time make for

¹ The act referred to, act of July 16, 1892 (27 Stat. 199), provides that "Hereafter it shall be the duty of the Secretary of the Treasury to cause to be prepared and submitted to Congress each year, in the annual Book of Estimates of Appropriations, a statement of the buildings rented within the District of Columbia for the use of the Government, the purposes for which rented, and the annual rental of each."

rent of buildings for their respective departments. *Act of Mar. 2, 1913 (37 Stat. 718).*

100a. *Statement of proceeds of sales, etc., to be separate from Book of Estimates.*—Hereafter the statement of the proceeds of all sales of old material, condemned stores, supplies, or other public property of any kind shall be submitted to Congress at the beginning of each regular session thereof as a separate communication and shall not hereafter be included in the annual Book of Estimates. *Sec. 6, Act of June 25, 1910 (36 Stat. 773).*

(See section 3672, Revised Statutes, as amended by act of February 27, 1877 (19 Stat. 249), or paragraph 100, ante.)

104a. *Annual reports of American National Red Cross.*—The said American National Red Cross shall, on the first day of January of each year, make and transmit to the Secretary of War a report of its proceedings for the preceding year, including a full, complete, and itemized report of receipts and expenditures of whatever kind, which report shall be duly audited by the War Department, and a copy of said report shall be transmitted to Congress by the War Department. *Sec. 6, act of Jan. 5, 1905 (33 Stat. 602).*

104b. *Same—Period covered by change from calendar to fiscal year.*—The said American National Red Cross shall as soon as practicable after the first day of July of each year make and transmit to the Secretary of War a report of its proceedings for the fiscal year ending June thirtieth next preceding, including a full, complete, and itemized report of receipts and expenditures of whatever kind, which report shall be duly audited by the War Department, and a copy of said report shall be transmitted to Congress by the War Department. *Act of Feb. 27, 1917 (39 Stat. 946), amending sec. 6, Act of Jan. 5, 1905 (33 Stat. 602).*

106a. *Annual reports, date for furnishing to printer, etc.*—Appropriations herein and hereafter made for printing and binding shall not be used for any annual report or the accompanying documents unless the copy therefor is furnished to the Public Printer in the following manner: Copies of the documents accompanying such annual reports on or before the fifteenth day of October of each year; copies of the annual reports on or before the fifteenth day of November of each year; complete revised proofs of the accompanying documents and the annual reports on the tenth and twentieth days of November of each year, respectively; and all of said annual reports and accompanying documents shall be printed, made public, and available for distribution not later than within the first five days after the assembling of each regular session of Congress. The provisions of this section shall not apply to the annual reports of the Smithsonian Institution, the Commissioner of Patents, or the Comptroller of the Currency. *Sec. 3, act of July 1, 1916 (39 Stat. 336).*

109a. *Designation of custodian of property in White House; bond.*—Hereafter the steward, housekeeper, or such other employee of the Executive Mansion as the President may designate, shall, under the direction of the President, have the charge and custody of and be responsible for the plate, furniture, and public property therein, and shall, before entering upon the duties of the office, give bond for the faithful discharge thereof, said bond to be in the sum of ten thousand dollars, and be approved by the Secretary of War. *Sec. 9, Act of June 25, 1910 (36 Stat. 773).*

109b. *Same—Annual inventory of required; approval and filing of, etc.*—Hereafter a complete inventory, in proper books, shall be made annually in the month of June, under the direction of the officer in charge of public buildings and grounds, of all the public property in and belonging to the Executive Mansion, showing when purchased, its cost, condition, and final disposition. This inventory shall be submitted to the President for his approval, and shall then be kept for reference in the Office of Public Buildings and Grounds, which shall furnish a copy thereof to the steward, housekeeper, or other employee responsible for the property. *Id., 774.*

(See sections 1832-1834, Revised Statutes.)

112a. *Printing and binding for Executive Departments, etc.*—All printing, binding,¹ and blank books for the Senate or House of Representatives and for the Executive and Judicial Departments shall be done at the Government Printing Office, except in cases otherwise provided by law. *Sec. 87, Act. of Jan. 12, 1895 (28 Stat. 622).*

112b. *Printing and binding for Army and National Guard may be procured by contract or in open market during hostilities.*—Section eighty-seven of the printing and binding Act, approved January twelfth, eighteen hundred and ninety-five (volume twenty-eight, Revised Statutes,² page six hundred and twenty-two), and section two of the act approved June thirtieth, nineteen hundred and six (volume thirty-four, Revised Statutes, page seven hundred and sixty-two), are hereby amended as follows:

“That in time of actual hostilities the Secretary of War may procure from commercial or other printing establishments, by contract or open market purchase, such printing and binding as may be required for the use of the Army and also for the National Guard of the several States and Territories and of the District of Columbia or other military forces while in the military service of the United States or about to be called into said service, payment for such print-

¹ See section 86 of the same act for style of bindings authorized.

² Twenty-eighth Statutes at Large.

ing and binding to be made from available appropriations.”¹ *Act of May 12, 1917* (40 Stat. 74), amending sec. 87, act of Jan. 12, 1895 (28 Stat. 622).

(For section 87 of the printing and binding act, see the preceding paragraph; and for section 2, act of June 30, 1906 (34 Stat. 762), see paragraph 94, *ante*.)

112c. Appropriation for printing and binding publications for instruction of land forces.—In addition to any other appropriation available for this purpose, there is hereby appropriated \$150,000, or so much thereof as may be necessary, to be immediately available, to be expended in printing and binding publications and manuals necessary for the organization and instruction of the land forces of the United States or such other necessary printing as the Secretary of War may prescribe. *Act of June 12, 1917* (40 Stat. 126).

112d. Same—Contracts may be entered into with private concerns for.—The printing and binding herein authorized may be executed under contract with private concerns if, in the judgment of the Secretary of War, the public interest requires, notwithstanding the provisions of law requiring such printing and binding to be done in the Government Printing Office. *Id.*

114a. Joint Committee on Printing, continuance of, vacancies in, and powers of during recess.—Hereafter the members of the Joint Committee on Printing who are reelected to the succeeding Congress shall continue as members of said committee until their successors are chosen: *Provided*, That the President of the Senate and the Speaker of the House of Representatives shall, on the last day of a Congress, appoint Members of their respective Houses who have been elected to the succeeding Congress to fill any vacancies which may then be about to occur on said committee, and such appointees and the members of said committee who shall have been reelected shall continue until their successors are chosen. The Joint Committee on Printing shall, when Congress is not in session, exercise all the powers and duties devolving upon said committee as provided by law, the same as when Congress is in session. *Sec. 6, act of Mar. 3, 1917* (39 Stat. 1121).

¹ *Held*, that the provision in the Army appropriation act approved May 12, 1917, amending section 87 of the public printing act of January 12, 1895 (28 Stat. 622), and section 2 of the act of June 30, 1906 (34 Stat. 762), operates to remove, in time of war, the restriction against the procurement of printing from commercial concerns contained in the act of 1895 and the restriction contained in the act of 1906 against the use of any appropriations for printing other than those made specifically and solely for printing and binding, so that in time of war the War Department may procure from commercial or other printing establishments necessary printing for the military forces and pay therefor from “available appropriations.”

Held further, that the said amendment of May 12, 1917, does not make available the War Department's allotment at the Government Printing Office for the procurement of printing by the department under contracts with commercial printing establishments. (War Dept. Bul. 34, June 8, 1917.)

122a. *Price of gas for public buildings limited to 70 cents.*—Hereafter no part of any money appropriated by this or any other Act shall be used for the payment to the Washington Gas Light Company or the Georgetown Gas Light Company for any gas furnished by said companies for use in any of the public buildings of the United States or the District of Columbia at a rate in excess of 70 cents per one thousand cubic feet. *Sec. 6, Act of Sept. 1, 1916 (39 Stat. 716).*

125a. *Public library depositaries to receive publications, etc., new designations authorized.*—Libraries heretofore designated by law as depositaries to receive books and other Government publications shall hereafter, during their existence, continue such receipt; and new designations may be made when libraries heretofore chosen shall cease to exist or other designations shall hereafter be authorized by law. *Sec 5, act of June 23, 1913 (38 Stat. 75).*

131a. *Forging, etc., certificate of discharge.*—Whoever shall forge, counterfeit, or falsely alter any certificate of discharge from the military or naval service of the United States, or shall in any manner aid or assist in forging, counterfeiting, or falsely altering any such certificate, or shall use, unlawfully have in his possession, exhibit, or cause to be used or exhibited, any such forged, counterfeited, or falsely altered certificate, knowing the same to be forged, counterfeited, or falsely altered, shall be fined not more than \$1,000 or imprisoned not more than one year, or both, in the discretion of the court. *Act of Mar. 4, 1917 (39 Stat. 1182).*

CHAPTER III.

THE DEPARTMENT OF WAR.

	Par.		Par.
Volunteer regiments mustered out authorized to retain colors-----	149a	Same—Vacated rooms not to be used for museum purposes----	154c
Sale of Army transports Meade and Crook authorized-----	150a	Temporary office building for use of War and Navy Departments-----	154d
Same—Secretary of War to request register as United States vessels on sale of-----	150b	Bureau of Insular Affairs, existing law relating to organization of, not repealed-----	155a
Reapportionment of space in the State, War, and Navy Department Building-----	154a	Claims for damage to and loss of private property, settlement of, by Auditor for War Department on recommendation of Secretary of War-----	162a
Same—No department or branch of the service to be ejected---	154b		

149a. *Volunteer regiments mustered out authorized to retain colors.*—The Secretary of War be, and he is hereby, authorized to permit volunteer regiments, on being mustered out of the service of the United States, to retain all of their regimental colors. Said colors shall be turned over to the State authorities to which said regiments belong, and the regimental quartermaster in making his returns may, in lieu of said colors and in full release therefor, file with the proper official of the War Department a receipt from the quartermaster-general of said State that said colors have been delivered to said State authorities. *Act of Feb. 25, 1899 (30 Stat. 890).*

150a. *Sale of Army transports Meade and Crook authorized.*—Authority is hereby granted the Secretary of War to sell or otherwise dispose of, in accordance with law and regulations, the United States Army transports Meade and Crook. *Act of Aug. 29, 1916 (39 Stat. 634).*

150b. *Same—Secretary of War to request register as United States vessels on sale of.*—On the sale or other disposal, in accordance with law and regulations, of the United States Army transports Meade and Crook, the Secretary of Commerce is hereby authorized, on request of the Secretary of War, to issue to either or both of said

vessels a register as a vessel of the United States. *Act of May 12, 1917 (40 Stat. 73).*

154a. Reapportionment of space in the State, War, and Navy Department Building.—The commission in charge, or a majority of the members thereof, may at any time reapportion space among the departments now occupying the State, War, and Navy Department Building if the same can be done with a reduction of the amount of floor space occupied by any branch of the public service in said building, the reduction or avoidance of public expense for rent of office or storage space for the Government, and the reduction of the number of watchmen required for said building from forty to not more than thirty-eight. *Act of May 10, 1916 (39 Stat. 94).*

154b. Same—No department or branch of the service to be ejected.—No arrangement of space made hereunder shall involve the ejection from the building of any department or branch of the public service now occupying the same. *Id.*

154c. Same—Vacated rooms not to be used for museum purposes.—No rooms vacated under any arrangement of space hereunder shall be used for museum purposes. *Id.*

154d. Temporary office building for use of War and Navy Departments.—For temporary office buildings, including heating and lighting, for the use of the War and Navy Departments, to contain approximately one million and fifty-five thousand square feet, to be erected under the direction of the Secretary of War in Henry Park, reservation numbered four, Sixth and B Streets, \$2,000,000. Space in said building shall be allotted by the officer in charge of Public Buildings and Grounds upon the joint order of the Secretary of War and the Secretary of the Navy: *Provided*, That within two years after the conclusion of the existing war, the land above referred to shall again be reserved for the erection of the George Washington Memorial Hall. *Act of Oct. 6, 1917 (40 Stat. 368).*

155a. Bureau of Insular Affairs, existing law relating to organization of not repealed.—Nothing in this Act shall be construed to repeal existing laws relating to the organization of the Bureau of Insular Affairs of the War Department. *Sec. 14, act of June 3, 1916 (39 Stat. 176).*

(For provision of section 3, act of October 6, 1917, giving the Chief of Bureau of Insular Affairs the rank, pay, and allowances of a major general, see paragraph 373a, post.)

162a. Claims for damage to and loss of private property, settlement of by Auditor for War Department on recommendation of Secretary of War.—For payment of claims for damages to and loss of private property incident to the training, practice, and operations of the Army that have accrued, or may hereafter accrue, from time to time, to be immediately available and to remain available until

expended: *Provided*, That settlement of such claims shall be made by the Auditor for the War Department, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages,¹ * * *. *Act of Aug. 29, 1916 (39 Stat. 639).*

(The Army appropriation act of May 12, 1917, and the urgent deficiencies act of October 6, 1917 (40 Stat. 59, 364), contain similar provisions.)

¹ Claims for loss of tools of workmen, which were destroyed by fire when the base hospital at Camp Bowie, Tex., was burned, are not claims for damages to, or for loss of, private property incident to the training, practice, or operation of the Army within the meaning of the Army appropriation act of May 12, 1917, or the urgent deficiency appropriation act of October 6, 1917. (Dig. Opin. J. A. G., January, 1918.)

A claim was made for damages due to the occupation of land as a camp ground by troops, the removal of trees therefrom, and the construction thereon of roads and latrines. The property was occupied without any formal lease and there was no agreement as to any payment for its use or for the timber that might be cut thereon. A board of officers convened for the purpose of investigating the said claim found that the land used was necessary for the encampment of troops, that the trees cut were removed by order of the camp commander, and that the amount of the claim was reasonable and just. *Held*, that such claim is payable from, and pursuant to the provisions of, the appropriation for damages to and loss of private property incident to the training, practice, and operations of the Army contained in the urgent deficiencies act of October 6, 1917 (40 Stat. 345, 364). (Id., February, 1918.)

CHAPTER IV.

PROVISIONS APPLICABLE TO SEVERAL CLASSES OF OFFICERS.

	Par.		Par.
Civil service examinations hereafter to be held in State of applicant -----	166a	Same—Amended so as not to apply to services heretofore rendered -----	169b
Persons not to receive two salaries in excess of \$2,000; exceptions -----	169a		

166a. *Civil service examinations hereafter to be held in State of applicant.*—Hereafter all examinations of applicants for positions in the Government service, from any State or Territory, shall be had in the State or Territory in which such applicant resides, and no person shall be eligible for such examination or appointment unless he or she shall have been actually domiciled in such State or Territory for at least one year previous to such examination. *Sec. 7, act of June 29, 1909 (36 Stat. 3).*

169a. *Persons not to receive two salaries in excess of two thousand dollars; exceptions.*—Unless otherwise specially authorized by law no money appropriated by this or any other Act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of \$2,000 per annum, but this shall not apply to retired officers of the Army, Navy, or Marine Corps whenever they may be appointed or elected to public office or whenever the President shall appoint them to office by and with the advice and consent of the Senate or to officers and enlisted men of the Organized Militia and Naval Militia in the several States, Territories, and the District of Columbia.¹ *Sec. 6, act of May 10, 1916 (39 Stat. 120).*

¹ *Held*, that in the case of a retired enlisted man of the Army his pay as such is not salary within the meaning of the above statute, also that a pension is not a salary within its inhibition. (Comp. W. W. Warwick, June 3, 1916; War Dept. Bull. 18, July 8, 1916.)

In the case of a quartermaster clerk who held a commission in the National Guard and was mustered into the Federal service, *Held*, that upon his muster into the Federal service he ceased to be a member of the National Guard, within the meaning of the Act of May 10, 1916, and became an officer of the Army, and

169b. *Same—Amended so as not to apply to services heretofore rendered.*—Unless otherwise specially authorized by law, no money appropriated by this or any other Act shall be available for payment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of \$2,000 per annum, but this shall not apply to retired officers or enlisted men of the Army, Navy, Marine Corps, or Coast Guard, or to officers and enlisted men of the Organized Militia and Naval Militia in the several States, Territories, and the District of Columbia: *Provided*, That no such retired officer, officer, or enlisted man shall be denied or deprived of any of his pay, salary, or compensation as such, or of any other salary or compensation for services heretofore rendered by reason of any decision or construction of said section six.¹ *Act of Aug. 29, 1916 (39 Stat. 582), amending sec. 6, act of May 10, 1916 (39 Stat. 120).*

as such was subject to the prohibition of that act. (Comp. Treas., Jan. 3, 1917; War Dept. Bull. 9, Feb. 2, 1917.)

On the question whether a civil employee of the War Department who enlists in the Engineer Enlisted Reserve Corps can be given leave of absence with pay in his civil status while he is receiving training as a member of said corps and at the same time receive pay in his military status,

Held, that there can be no legal objection to his receiving the compensation of both places if the training is performed within his annual leave allowance, provided the combined compensation of both places does not exceed the sum of \$2,000, so as to come within the prohibition of section 6 of the act of May 10, 1916, as amended (39 Stat., 582); that as the two positions are entirely distinct each with its own compensation and duties, the case does not come within the prohibitions of sections 1763, 1764, and 1765, Revised Statutes; and that the military position is not an office within the meaning of the act of July 31, 1894 (28 Stat., 205), so as to preclude a civil employee, if his salary should be \$2,500 or more, from being a member of the Enlisted Reserve Corps. (War Dept. Bull. 18, Apr. 6, 1917.)

¹A provision in the act of September 8, 1916 (39 Stat. 821), excepts A. B. Fry, a consulting engineer in another branch of the Federal service, from the restrictions against his employment and payment in the Immigration Service at Ellis Island, N. Y. And by section 9, urgent deficiencies act of October 6, 1917 (40 Stat. 384), teachers in the public schools of the District of Columbia who are employed as teachers of night schools and vacation schools are excepted from the provisions of the section.

CHAPTER V.

THE TREASURY DEPARTMENT—THE ACCOUNTING OFFICERS.

	Par.		Par.
National banks, duties and liabilities when designated as depositories of public moneys	182a	Agents, accountants, etc.; number and compensation	205h
Annual reports by auditors as to outstanding checks	183a	Powers of assistant comptroller and assistant auditor	205i
All appropriations must be specifically made	187a	Oath of office, subsistence, etc., of employees residing in foreign countries	205j
Appropriations, reappropriation, and diversion of unexpended balances to be considered as new	191a	Examination of books, etc., of contracting, purchasing, and disbursing officers	205k
Report of unexpended balances to Congress	193a	Administrative examination of accounts settled abroad	205l
Canal Zone—Semiannual examination of accounts and vouchers, etc.	200a	Filing contracts of accounts settled abroad	205m
Accounts of Military Establishment	205a-205w	Employees under section to be restored to former positions	205n
Audit of at places other than seat of Government	205a	Details of officers, etc., for duty outside District of Columbia	205o
Manner of exercising and performing duties	205b	Appropriation for payment of expenses	205p
Performance of duties in foreign countries; certification and conclusiveness of balances	205c	Special disbursing agents of appropriation	205q
Payment of certificates of balances by disbursing officers instead of by warrant	205d	Additional duties of employees	205r
Reopening and review of any settlement within one year after close of war	205e	Authority to administer oaths to American citizens	205s
Preservation, etc., of accounts, vouchers, and files	205f	Sale of Army stores to employees	205t
Appointment of assistant comptroller and assistant auditor; compensation	205g	Termination of effective force of section six months after close of war, etc.	205u
		Limit of compensation of officers, employees, etc.	205v
		Date of termination of war between Germany and United States	205w

	Par.		Par.
Loyalty restriction repealed as to claims for service in Army prior to April 13, 1861-----	215a	Payment for condemned horses and equipage-----	217e
Claims under exhausted or lapsed appropriations, examination of and report to Congress-----	215b	Payment to guardian for horse lost by minor in military service-----	217f
Same—Reexamination of rejected claims-----	215c	Payment to owner for horse furnished and lost in military service-----	217g
Damage or loss of baggage of officers and enlisted men shipped under orders—Recovery from United States in excess of amount paid by carrier-----	217a	Time limit for filing claim for arrears of pay, etc., of volunteers during Civil War-----	218a
Payment to officers for horses lost in battle, etc-----	217b	Same—Attorneys' fees for prosecution of claims prohibited; penalty-----	218b
Payment for property lost while in military service-----	217c	Liability of persons making false claims against United States-----	220a
Payment for horses lost by capture-----	217d	Lost checks—Issuance of duplicates-----	245a

182a. *National banks, duties and liabilities when designated as depositaries of public moneys.*—All national banking associations, designated for that purpose by the Secretary of the Treasury, shall be depositaries of public money, under such regulations as may be prescribed by the Secretary; and they may also be employed as financial agents of the Government; and they shall perform all such reasonable duties, as depositaries of public money and financial agents of the Government as may be required of them. The Secretary of the Treasury shall require the associations thus designated to give satisfactory security, by the deposit of United States bonds and otherwise, for the safe-keeping and prompt payment of the public money deposited with them, and for the faithful performance of their duties as financial agents of the Government: *Provided*, That the Secretary shall, on or before the first of January of each year, make a public statement of the securities required during that year for such deposits. And every association so designated as receiver or depositary of the public money shall take and receive at par all of the national currency bills, by whatever association issued, which have been paid into the Government for internal revenue, or for loans or stocks: *Provided*, That the Secretary of the Treasury shall distribute the deposits herein provided for, as far as practicable, equitably between the different States and sections. *Sec. 5153, R. S., as amended by Sec. 1, Act of Mar. 3, 1901 (31 Stat. 1448), Sec. 3, Act of Mar. 4, 1907 (34 Stat. 1290), Sec. 27, Act of Dec. 23, 1913 (38 Stat. 274), and Act of Aug. 4, 1914 (38 Stat. 682).*

183a. *Annual reports by auditors as to outstanding checks.*—Hereafter at the termination of each fiscal year each Auditor of the Treasury shall report to the Secretary of the Treasury all checks issued by any disbursing officer of the Government as shown by his accounts rendered to such auditor, which shall then have been outstanding and unpaid for three years or more, stating fully in such report the name of the payee, for what purpose each check was given, the office on which drawn, the number of the voucher received therefor, the date, the number, and the amount for which it was drawn, and, when known, the residence of the payee. And such reports shall be in lieu of the returns required of disbursing officers by section three hundred and ten of the Revised Statutes. *Sec. 310, R. S., as amended by Sec. 5, act of July 1, 1916 (39 Stat. 336).*

(See paragraphs 241 and 242.)

187a. *All appropriations must be specifically made.*—Hereafter no Act of Congress shall be construed to make an appropriation out of the Treasury of the United States unless such Act shall, in specific terms, declare an appropriation to be made for the purpose or purposes specified in the Act. *Act of July 1, 1902 (32 Stat. 560).*

191a. *Appropriations, reappropriation, and diversion of unexpended balances to be considered as new.*—The reappropriation and diversion of the unexpended balance of any appropriation to a purpose other than that for which it was originally made shall be construed and accounted hereafter as a new appropriation and the unexpended balance shall be reduced by the sum proposed to be so diverted. *Sec. 4, act of Mar. 4, 1915 (38 Stat. 1161).*

193a. *Report of unexpended balances to Congress.*—The Secretary of War shall make an annual report to Congress containing a statement of the appropriations of the preceding fiscal year for the Department of War, showing the amount appropriated under each specific head of appropriation, the amount expended under each head, and the balance which, on the thirtieth day of June preceding such report, remained unexpended. Such reports shall be accompanied by estimates of the probable demands which may remain on each appropriation. *Sec. 228, R. S.*

200a. *Canal Zone—Semiannual examination of accounts and vouchers, etc.*—In prescribing regulations under the provisions of section five of the sundry civil act of August first, nineteen hundred and fourteen, the President shall provide that in lieu of furnishing to the auditor individual detail collection vouchers, not provided for in said regulations, two competent persons, one from the office of the Auditor for the War Department, designated by the auditor, and one from the office of the Comptroller of the Treasury, designated by the comptroller, shall be sent semiannually, at such time as may be designated by the comptroller, to the Canal Zone to examine

the accounts and vouchers and verify the submitted schedules of collections and report in triplicate to the Auditor for the War Department, the Comptroller of the Treasury, and the auditor of the Panama Canal; and such persons shall make such other examination into the accounts of the Panama Canal as may be directed by the comptroller, and for all such purposes they shall have access to all records and papers pertaining thereto. Such examination and inspection shall be made for the period covered by the persons designated as soon as practicable, and the report of such persons shall be promptly filed. Such persons shall be furnished their transportation going and returning, including meals, and be paid a per diem of \$4 from the day of sailing from the United States until return thereto, both days inclusive, in lieu of subsistence on the Isthmus and all other expenses, out of such appropriation for the Panama Canal as may be designated by the governor. *Sec. 3, act of Mar. 3, 1915 (38 Stat. 886).*

ACCOUNTS OF MILITARY ESTABLISHMENT.

205a. *Audit of at place other than seat of Government.*—The Secretary of the Treasury is authorized during the war, whenever it shall appear that the public interests require that any of the accounts of the Military Establishment be audited at any place other than the seat of Government, to direct the Comptroller of the Treasury and the Auditor for the War Department to exercise, either in person or through assistants, the powers and perform the duties of their offices at any place or places away from the seat of Government in the manner that is or may be required by law at the seat of Government and in accordance with the provisions of this section. *Sec. 12, Act of Sept. 24, 1917 (40 Stat. 293).*

205b. *Manner of exercising and performing duties.*—When the Secretary of the Treasury shall exercise the authority herein referred to, the powers and duties of the said comptroller and auditor, under and pursuant to the provisions of the Act of July thirty-first, eighteen hundred and ninety-four,¹ and all other laws conferring jurisdiction upon those officers, shall be exercised and performed in the same manner as nearly as practicable and with the same effect away from the seat of Government as they are now exercised and performed and have effect at the seat of Government, and decisions authorized by law to be rendered by the comptroller at the request of disbursing officers may be rendered with the same effect by such assistants as may be authorized by him to perform that duty. *12a, Id.*

205c. *Performance of duties in foreign countries; certification and conclusiveness of balances.*—When pursuant to this section the said

¹ See paragraphs 196, 197, 200-203, 205-211, and 213, ante.

comptroller and auditor shall perform their duties at a place in a foreign country, the balances arising upon the settlement of accounts and claims of the Military Establishment shall be certified by the auditor to the Division of Bookkeeping and Warrants of the Treasury Department as now provided for the certification of balances by said auditor in Washington, and the balances so found due shall be final and conclusive upon all branches of the Government, except that any person whose account has been settled or the commanding officer of the Army abroad, or the comptroller may obtain a revision of such settlement by the comptroller upon application therefor within three months, the decision to be likewise final and conclusive and the differences arising upon such revision to be certified to and stated by the auditor as now provided by law. *12b, Id.*

205d. Payment of certificates of balances by disbursing officer abroad instead of by warrant.—Certificates of balances due may be transmitted to and paid by the proper disbursing officer abroad instead of by warrant. *Id.*

205e. Reopening and review of any settlement within one year after close of war.—Any person whose account has been settled, or the Secretary of War, may obtain a reopening and review of any settlement made pursuant to this section upon application to the Comptroller of the Treasury in Washington within one year after the close of the war, and the action of the comptroller thereon shall be final and conclusive in the same manner as herein provided in the case of a balance found due by the auditor. *Id.*

205f. Preservation, etc., of accounts, vouchers, and files.—The comptroller and auditor shall preserve the accounts, and the vouchers and papers connected therewith, and the files of their offices in the foreign country and transmit them to Washington within six months after the close of the war and at such earlier time as may be directed by the Secretary of the Treasury as to any or all accounts, vouchers, papers, and files. *12c, Id.*

205g. Appointment of assistant controller and assistant auditor; compensation.—The Secretary of the Treasury is authorized to appoint an assistant comptroller and an assistant auditor and to fix their compensation, and to designate from among the persons to be employed hereunder one or more to act in the absence or disability of such assistant comptroller and assistant auditor. *12d, Id., 294.*

205h. Agents, accountants, etc., number and compensation.—He shall also prescribe the number and maximum compensation to be paid to agents, accountants, clerks, translators, interpreters, and other persons who may be employed in the work under this section by the comptroller and auditor. *Id.*

205i. *Powers of assistant comptroller and assistant auditor.*—The assistant comptroller and assistant auditor shall have full power to perform in a foreign country all the duties with reference to the settlement there of the accounts of the Military Establishment that the comptroller and auditor now have at the seat of Government and in foreign countries under the provisions of this section, and shall perform such duties in accordance with the instructions received from and rules and regulations made by the comptroller and auditor. *Id.*

205j. *Oath of office, subsistence, etc., of employees residing in foreign countries.*—Such persons as are residing in a foreign country when first employed hereunder shall not be required to take an oath of office or be required to be employed pursuant to the laws, rules, and regulations relating to the classified civil service, nor shall they be reimbursed for subsistence expenses at their post of duty or for expenses in traveling to or from the United States. *Id.*

205k. *Examination of books, etc., of contracting, purchasing, and disbursing officers.*—It shall be the duty of all contracting, purchasing, and disbursing officers to allow any representative of the comptroller or auditor to examine all books, records, and papers in any way connected with the receipt, disbursement, or disposal of public money, and to render such accounts and at such times as may be required by the comptroller. *12e, Id.*

205l. *Administrative examination of accounts settled abroad.*—No administrative examination by the War Department shall be required of accounts rendered and settled abroad, and the time within which these accounts shall be rendered by disbursing officers shall be prescribed by the comptroller, who shall have power to waive any delinquency as to time or form in the rendition of these accounts. *Id.*

205m. *Filing contracts of accounts settled abroad.*—All contracts connected with accounts to be settled by the auditor abroad shall be filed in his office there. *Id.*

205n. *Employees under section to be restored to former positions.*—Any person appointed or employed under the provisions of this section who at the time is in the service of the United States shall, upon termination of his services hereunder, be restored to the position held by him at the time of such employment. *Sec. 12f, Id.*

205o. *Details of officers, etc., for duty outside District of Columbia.*—No provision of existing law shall be construed to prevent the payment of money appropriated for the salary of any Government officer or employee at the seat of Government who may be detailed to perform duty under this section outside the District of Columbia, and such details are hereby authorized. *Id.*

(See paragraph 30a, ante.)

205p. Appropriation for payment of expenses.—For the payment of the expenses in carrying into effect this section, including traveling expenses, per diem of \$4 in lieu of subsistence for officers and employees absent from Washington, rent, cablegrams and telegrams, printing, law books, books of reference, periodicals, stationery, office equipment and exchange thereof, supplies, and all other necessary expenses, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June thirtieth, nineteen hundred and eighteen, the sum of \$300,000, of which not exceeding \$25,000 may be expended at Washington for the purposes of this section, but no officer or employee shall receive for duty in Washington any compensation other than his regular salary. *Sec. 12g, Id.*

205q. Special disbursing agents of appropriation.—The Secretary of the Treasury may designate not more than two persons employed hereunder to act as special disbursing agents of the appropriation herein, to serve under the direction of the comptroller, and their accounts shall be rendered to and settled by the accounting officers of the Treasury in Washington. *Sec. 12h, Id.*

205r. Additional duties of employees.—All persons employed under this section shall perform such additional duties as the Secretary of the Treasury may direct. *Id.*

205s. Authority to administer oaths to American citizens.—The comptroller and the auditor, and such persons as may be authorized in writing by either of them, may administer oaths to American citizens in respect to any matter within the jurisdiction of either of said officers and certify the official character, when known, of any foreign officer whose jurat or certificate may be necessary on any paper to be filed with them. *Sec. 12i, Id. 295.*

205t. Sale of Army stores to employees.—Persons engaged in work abroad under the provisions of this section may purchase from Army stores for cash and at cost price for their own use such articles or stores as may be sold to officers and enlisted men. *Sec. 12j, Id.*

205u. Termination of effective force of section six months after close of war, etc.—The authority granted under this section shall terminate six months after the close of the war or at such earlier date as the Secretary of the Treasury may direct, and it shall be the duty of the comptroller and auditor to make such reports as the Secretary of the Treasury may require of the expenditures made and work done pursuant to this section, and such reports shall be transmitted to the Congress at such time as he may decide to be compatible with the public interest. *Sec. 12k, Id.*

205v. Limit on compensation of officers, employees, etc.—No officers, employees, or agents appointed or employed under this sec-

tion shall receive more salary or compensation than like officers, employees, or agents of the Government now receive. *Sec. 121, Id.*

205w. *Date of termination of war between Germany and United States.*—For the purposes of this Act the date of the termination of the war between the United States and the Imperial German Government shall be fixed by proclamation of the President of the United States. *Sec. 13, Id.*

215a. *Loyalty restriction repealed as to claims for service in Army prior to April 13, 1861.*—Section thirty-four hundred and eighty of the Revised Statutes of the United States be, and the same is hereby, repealed so far as it affects payments for services in the Army of the United States prior to April thirteenth, eighteen hundred and sixty-one. *Act of July 6, 1914 (38 Stat. 454), repealing Sec. 3480, R. S.*

215b. *Claims under exhausted or lapsed appropriations, examination of and report to Congress.*—It shall be the duty of the several accounting officers of the Treasury to continue to receive, examine, and consider the justice and validity of all claims under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of said section¹ that may be brought before them within a period of five years. And the Secretary of the Treasury shall report the amount due each claimant, at the commencement of each session, to the Speaker of the House of Representatives, who shall lay the same before Congress for consideration. *Sec. 4, Act of June 14, 1878 (20 Stat. 130).*

215c. *Same—Re-examination of rejected claims.*—Nothing in this act shall be construed to authorize the re-examination and payment of any claim or account which has been once examined and rejected, unless reopened in accordance with existing law. *Id.*

217a. *Damage or loss of baggage of officers and enlisted men shipped under orders.—Recovered from United States in excess of amount paid by carrier.*—The provisions of the Act of March third, eighteen hundred and eighty-five (Twenty-third Statutes, page three hundred and fifty), entitled "An Act to provide for the settlement of the claims of officers and enlisted men of the Army for loss of private property destroyed in the military service of the United States," shall hereafter extend to cover loss of or damage to the regulation allowance of baggage of officers and enlisted men sustained in shipment under orders, to the extent of such loss or damage over and above the amount recoverable from the carrier furnishing the transportation.² *Act of Mar. 4, 1915 (38 Stat. 1077).*

¹ Section 5, act of June 20, 1874, paragraph 192, ante, or 18 Stat. 110.

² The question was presented whether this provision applies to all property which may be shipped as change-of-station allowance of baggage (including, for example, civilian clothing of the claimant officer and wearing apparel of members of his family) or whether its application is limited to such articles

217b. *Payment to officers for horses lost in battle, etc.*—Any field, or staff, or other officer, mounted militiaman, volunteer, ranger, or cavalryman, engaged in the military service of the United States, who sustains damage without any fault or negligence on his part, while in the service, by the loss of a horse in battle, or by the loss of a horse wounded in battle, which dies of the wound, or which, being so wounded, is abandoned by order of his officer and lost, or who sustains damage by the loss of any horse by death or abandonment because of the unavoidable dangers of the sea, when on board a United States transport vessel, or because the United States fails to supply transportation for the horse, and the owner is compelled by the order of his commanding officer to embark and leave him, or in consequence of the United States failing to supply sufficient forage, or because the rider is dismounted and separated from his horse and ordered to do duty on foot at a station detached from his horse, or when the officer in the immediate command orders the horse turned out to graze in the woods, prairies, or commons, because the United

as might otherwise be certified to the auditor by the Secretary of War under the original law of 1885.

Held, that since the provisions of the act of 1885 are, by the act of March 4, 1915, *extended* to the loss or damage to private property in shipment, the *limitations* of the former act are extended, including the provision that "the liability of the Government under this act shall be limited to such articles of personal property as the Secretary of War, in his discretion, shall decide to be reasonable, useful, necessary, and proper for such officer or soldier while in quarters engaged in the public service in line of duty"; that it is only because of this limitation that the Secretary of War is required to make any certificate for the auditor in case of the loss of property of officers and enlisted men, and that therefore in the preparation of the certificates, in cases of loss of baggage, there should be listed only such articles as can be properly certified under the act of March 3, 1885. (War Dept. Bul. 34, June 8, 1917.)

The Auditor for the War Department disallowed the claim of a noncommissioned officer for the value of his household goods destroyed by fire June 30, 1916, at Seattle, Wash., while in shipment under orders, such disallowance being made for reasons stated as follows:

"As the property was not lost or destroyed by being shipped on an unseaworthy vessel, nor by reason of the claimant giving his attention to saving property belonging to the United States, no reimbursement can be made."

Upon appeal,

Held, by the comptroller, that the claimant was entitled to reimbursement under the act of March 4, 1915, which extends the provisions of the act of March 3, 1885, to cover losses of private property sustained in shipment under orders in excess of that recoverable from the carrier. This legislation authorizes and directs the accounting officers of the Treasury to examine into, ascertain, and determine the value of the regulation allowance of baggage belonging to officers and enlisted men in the military service which has been lost or damaged in such service on or after March 4, 1915, in shipment under orders; and when such loss or damage was without fault or negligence on the part of the claimant, was not sustained in time of war or hostilities with Indians, and the claim for compensation is presented within two years from the occurrence of the loss or damage, the amount of such loss or damage so ascertained, in excess of the amount recoverable from the carrier, is payable by the United States. The liability of the Government is, by the terms of the act of 1885, "limited to such articles of personal property as the Secretary of War, in his discretion, shall decide to be reasonable, useful, necessary, and proper for such officer or soldier while in quarters, engaged in the public service, in the line of duty."

(Comp. Treas., Aug. 1, 1917, War Dept. Bul. 54, Sept. 26, 1917.)

States fails to supply sufficient forage, and the loss is consequent thereon, or for the loss of necessary equipage, in consequence of the loss of his horse, shall be allowed and paid the value thereof, not to exceed two hundred dollars. But any payment which is made to any one for the use and risk, or for forage, after the death, loss, or abandonment of his horse, shall be deducted from the value thereof, unless he satisfies the paymaster at the time he makes the payment, or thereafter shows, by proof, that he was remounted, in which case the deduction shall only extend to the time he was on foot. And any payment made to any person above mentioned, on account of clothing to which he is not entitled by law, shall be deducted from the value of his horse or accouterments. *Sec. 3482, R. S.*

217c. Payment for property lost while in military service.—Every person who sustains damage by the capture or destruction by an enemy, or by the abandonment or destruction by the order of the commanding general, the commanding officer, or quartermaster, of any horse, mule, ox, wagon, cart, sleigh, harness, steamboat or other vessel, railroad-engine or railroad-car, while such property is in the military service, either by impressment or contract; or who sustains damage by the death or abandonment and loss of any horse, mule, or ox, while in the service, in consequence of the failure on the part of the United States to furnish the same with sufficient forage, or whose horse, mule, ox, wagon, cart, boat, sleigh, harness, vessel, railroad-engine, or railroad-car is lost or destroyed by unavoidable accident while such property is in the service, shall be allowed and paid the value thereof at the time when such property was taken into the service, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner: *Provided*, It appears that such loss, capture, abandonment, destruction, or death was without any fault or negligence on the part of the owner of the property, and while the property was actually employed in the service of the United States. *Sec. 3483, R. S.*

217d. Payment for horses lost by capture.—The two preceding sections shall extend to all cases of the loss of horses by any officer, non-commissioned officer, or private in the military service of the United States, while in the line of his duty in such service, by capture by the enemy, whenever it shall appear that such officer, non-commissioned officer, or private was ordered by his superior officer to surrender to the enemy, and such capture was made in pursuance of such surrender. *Sec. 3484, R. S.*

217e. Payment for condemned horses and equipage.—Whenever any horse is condemned by a board of officers, on account of his unfitness for service, in consequence of the Government failing to supply forage, such horse and his equipage shall be allowed and paid for: *Provided*, It shall be proven, by satisfactory evidence, whether oral

or written, that the condemned horse and the equipage were turned over to a quartermaster of the Army, whether any receipt therefor was given and produced, or not. *Sec. 3485, R. S.*

217f. *Payment to guardian for horse lost by minor in military service.*—When any minor engaged in the military service of the United States, and provided with a horse or equipments, or with military accouterments, by his parent or guardian, dies, without paying for the property, and the same is lost, captured, destroyed, or abandoned, in the manner before mentioned, such parent or guardian shall be allowed pay therefor, on making satisfactory proof, as in other cases, and the further proof that he is entitled thereto by having furnished the same. *Sec. 3486, R. S.*

217g. *Payment to owner for horse furnished and lost in military service.*—When any person other than a minor, engaged in the military service, is provided with a horse or equipments, or with military accouterments, by any person, being the owner thereof, who takes the risk of such horse, equipments, or military accouterments, on himself, and the same is lost, captured, destroyed, or abandoned, in the manner before mentioned, such owner shall be allowed pay therefor, on making satisfactory proof, as in other cases, and the further proof that he is entitled thereto, by having furnished the same, and having taken the risk on himself. *Sec. 3487, R. S.*

218a. *Time limit for filing claim for arrears of pay, etc., of Volunteers during Civil War.*—No claim for arrears of pay, bounty, or other allowances growing out of the service of Volunteers who served in the Army of the United States during the Civil War shall be received or considered by the accounting officers of the Treasury unless filed in the office of the Auditor for the War Department on or before December thirty-first, nineteen hundred and twelve. *Act of Dec. 22, 1911 (37 Stat. 49).*

218b. *Same—Attorneys' fees for prosecution of claims prohibited; penalty.*—Hereafter no agent or attorney shall demand or accept, for his services in connection with the prosecution of claims for arrears of pay, bounty, or other allowances due on account of the services during the Civil War of an officer or enlisted man of the Regular or Volunteer Armies of the United States, filed after the passage of this Act, any fee for any services rendered in connection therewith. Whoever shall violate this provision upon conviction shall be punished by a fine of not exceeding five hundred dollars or imprisonment for a period not exceeding six months, or both, and shall be disbarred from practice before the Treasury Department. *Id.*

220a. *Liability of persons making false claims against United States.*—Any person not in the military or naval forces of the United States, or in the militia called into or actually employed in the service of the United States, who shall do or commit any of the acts prohib-

ited by any of the provisions of section fifty-four hundred and thirty-eight, Title "Crimes," shall forfeit and pay to the United States the sum of two thousand dollars, and, in addition, double the amount of damages which the United States may have sustained by reason of the doing or committing such act, together with the costs of suit; and such forfeiture and damages shall be sued for in the same suit. *Sec. 3490, R. S.*

245a. Lost checks—Issuance of duplicates.—Whenever any original check is lost, stolen, or destroyed disbursing officers and agents of the United States are authorized, within three years from the date of such check, to issue a duplicate check, under such regulations in regard to its issue and payment, and upon the execution of such bond, with sureties, to indemnify the United States, and proof of loss of original check, as the Secretary of the Treasury shall prescribe. *Sec. 3647, R. S., as amended by act of Mar. 21, 1916 (39 Stat. 37).*

CHAPTER VI.

POSTAL LAWS.

	Par.		Par.
Letters written by soldiers, etc., in foreign countries to be transmitted free.....	251a	Same—Filing translation before mailing.....	253g
Use of mails.....	253a-253e	Same—Publications nonmailable, when.....	253h
Letters, writings, etc., in violation of provisions of act declared nonmailable matter....	253a	Same—Permits to publish.....	253i
Same—Opening letters.....	253b	Same—Copies of permits and revocations of; publications under permit to bear certificates as to.....	253j
Same—Letters, writings, etc., advocating treason, etc., declared nonmailable.....	253c	Punishment for making affidavit containing false statement....	253k
Same—Using, etc., mails or Postal Service for transmission of matter declared nonmailable by this title; punishment....	253d	Postmaster General to contract for all envelopes.....	254a
Same—Jurisdiction of offense....	253e	Same—Envelopes for all Government service to be contracted for.....	254b
Print newspapers or publications in foreign languages, matters unlawful to be published in.....	253f		

251a. *Letters written by soldiers, etc., in foreign countries to be transmitted free.*—Letters written and mailed by soldiers, sailors, and marines assigned to duty in a foreign country engaged in the present war may be mailed free of postage, subject to such rules and regulations as may be prescribed by the Postmaster General. *Sec. 1100, Act of Oct. 3, 1917 (40 Stat. 327).*

USE OF MAILS.

253a. *Letters, writing, etc., in violation of provisions of Act declared nonmailable matter.*—Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter or thing, of any kind, in violation of any of the provisions of this Act is hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from

any postoffice or by any letter carrier. *Title XII, Sec. 1, Act of June 15, 1917 (40 Stat. 230).*

253b. Same—Opening letters.—Nothing in this Act shall be so construed as to authorize any person other than an employee of the Dead Letter Office, duly authorized thereto, or other person upon a search warrant authorized by law, to open any letter not addressed to himself. *Id.*

(See paragraphs 1425e and 1425f, post, as to censorship of communications by mail, etc., under the "Trading with the Enemy Act" of October 6, 1917.)

253c. Same—Letters, writings, etc., advocating treason, etc., declared nonmailable.—Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter or thing, of any kind, containing any matter advocating or urging treason, insurrection, or forcible resistance to any law of the United States, is hereby declared to be nonmailable. *Sec. 2, Id.*

253d. Same—Using, etc., mails or Postal Service for transmission of matter declared nonmailable by this title; punishment.—Whoever shall use or attempt to use the mails or Postal Service of the United States for the transmission of any matter declared by this title to be nonmailable, shall be fined not more than \$5,000 or imprisoned not more than five years, or both. *Sec. 3, Id.*

253e. Same—Jurisdiction of offense.—Any person violating any provision of this title may be tried and punished either in the district in which the unlawful matter or publication was mailed, or to which it was carried by mail for delivery according to the direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed. *Id., 231.*

(For general provisions of this act applicable to this title, see paragraphs 1475r–1475u.)

253f. Print, newspapers or publications in foreign languages, matters unlawful to be published in.—Ten days after the approval of this Act and until the end of the war, it shall be unlawful for any person, firm, corporation, or association, to print, publish, or circulate, or cause to be printed, published, or circulated in any foreign language, any news item, editorial or other printed matter, respecting the Government of the United States, or of any nation engaged in the present war, its policies, international relations, the state or conduct of the war, or any matter relating thereto. *Sec. 19, Act of Oct. 6, 1917 (40 Stat., 425).*

253g. Same—Filing translation before mailing.—This section shall not apply to any print, newspaper, or publication where the publisher or distributor thereof, on or before offering the same for mailing, or in any manner distributing it to the public, has filed with the postmaster at the place of publication, in the form of an affidavit, a true

and complete translation of the entire article containing such matter proposed to be published in such print, newspaper, or publication, and has caused to be printed, in plain type in the English language, at the head of each such item, editorial, or other matter, on each copy of such print, newspaper, or publication, the words "True translation filed with the postmaster at on (naming the post office where the translation was filed, and the date of filing thereof), as required by the Act of (here giving the date of this Act). *Id.*

253h. Same—Publications nonmailable, when.—Any print, newspaper, or publication in any foreign language which does not conform to the provisions of this section is hereby declared to be nonmailable, and it shall be unlawful for any person, firm, corporation, or association, to transport, carry, or otherwise publish or distribute the same, or to transport, carry or otherwise publish or distribute any matter which is made nonmailable by the provisions of the Act relating to espionage, approved June fifteenth, nineteen hundred and seventeen. *Id.*, 426.

253i. Same—Permits to publish.—Upon evidence satisfactory to him that any print, newspaper, or publication, printed in a foreign language may be printed, published, and distributed free from the foregoing restrictions and conditions without detriment to the United States in the conduct of the present war, the President may cause to be issued to the printers or publishers of such print, newspaper, or publication, a permit to print, publish, and circulate the issue or issues of their print, newspaper, or publication, free from such restrictions and requirements, such permits to be subject to revocation at his discretion. *Id.*

253j. Same—Copies of permits and revocations of; publications under permits to bear certificate as to.—And the Postmaster General shall cause copies of all such permits and revocations of permits to be furnished to the postmaster of the post office serving the place from which the print, newspaper, or publication, granted the permit is to emanate. All matter printed, published and distributed under permits shall bear at the head thereof in plain type in the English language, the words, "Published and distributed under permit authorized by the Act of (here giving date of this Act), on file at the post office of (giving name of office)." *Id.*

253k. Punishment for making affidavit containing false statement.—Any person who shall make an affidavit containing any false statement in connection with the translation provided for in this section shall be guilty of the crime of perjury and subject to the punishment provided therefor by section one hundred and twenty-five¹ of the Act of March fourth, nineteen hundred and nine, entitled "An Act to codify, revise, and amend the penal laws of the United

¹ See 35 Statutes 1111.

States," and any person, firm, corporation, or association, violating any other requirement of this section shall, on conviction thereof, be punished by a fine of not more than \$500, or by imprisonment of not more than one year, or, in the discretion of the court, may be both fined and imprisoned.—*Id.*

254a. Postmaster-General to contract for all envelopes.—The Postmaster-General shall contract for all envelopes, stamped or otherwise, designed for sale to the public, or for use by his own or other Departments, and may contract for them to be plain or with such printed matter as may be prescribed by the Department making requisition therefor: *Provided*, That no envelope furnished by the Government shall contain any business address or advertisement. *Sec. 96, Act of Jan. 12, 1895 (28 Stat. 624).*

254b. Same—Envelopes for all Government service to be contracted for.—The Postmaster-General shall contract, for a period not exceeding four years, for all envelopes, stamped or otherwise, designed for sale to the public, or for use by the Post-Office Department, the postal service, and other Executive Departments, and all Government bureaus and establishments, and the branches of the service coming under their jurisdiction, and may contract for them to be plain or with such printed matter as may be prescribed by the Department making requisition therefor: *Provided*, That no envelope shall be sold by the Government containing any lithographing or engraving, nor any printing nor advertisement, except a printed request to return the letter to the writer.¹ *Act of June 26, 1906 (34 Stat. 476).*

¹The acts of January 12, 1895 (28 Stat., 624), and June 26, 1906 (34 Stat., 476), are to the general effect that envelopes for the use of the executive departments of the Government and all branches of the service coming under their jurisdiction are to be purchased exclusively by the Postmaster General upon requisitions of such executive departments, etc. In a decision of July 22, 1913 (20 Comp. Dec., 34), the Comptroller of the Treasury held that the act of June 26, 1906, precluded the purchase of envelopes from the appropriation "Contingencies, headquarters of military departments, etc." otherwise than as authorized by that act, and that the discretion conferred upon division or department commanders in that appropriation with respect to expenditures could not be regarded as authorizing a purchase otherwise prohibited by law. Commencing with the fiscal year 1915, the appropriation "Contingencies, headquarters of military departments, etc.," named stationery among the objects for which the appropriation might be expended, and the question was presented whether the inclusion of stationery among such objects operated as a repeal *pro tanto* of the prohibitory statutes respecting the officer authorized to purchase envelopes.

Held, that the fact that stationery was named in the appropriation among the objects of authorized expenditure thereunder merely increased specifically the number of heads of lawful expenditures and had no effect whatever on the manner in which such expenditures were to be made, and that, therefore, expenditures for envelopes of headquarters of military departments, etc., of the Army are still to be made in the manner indicated by the acts above cited.

(Comp. Treas., Jan. 29, 1917, War Dept. Bul. 26, May 17, 1917.)

CHAPTER VII.

THE DEPARTMENT OF JUSTICE—HABEAS CORPUS— THE COURT OF CLAIMS.

Condemnation proceedings, Dis- trict of Columbia, attorney in charge of; employment of other counsel forbidden.....	Par. 263a	Court of Claims—Jurisdiction over claims growing out of Civil War.....	Par. 277a
--	--------------	--	--------------

263a. Condemnation proceedings, District of Columbia, attorney in charge of; employment of other counsel forbidden.—One of whom¹ shall have charge of all condemnation proceedings in the District of Columbia and supervise the examination of titles and matters arising from such condemnation proceedings in which the United States shall be a party or have an interest, and no special attorney or counsel, or services of persons other than of those provided for herein, shall be employed for such purposes. *Act of Mar. 3, 1917 (39 Stat. 1110).*

277a. Court of Claims—Jurisdiction over claims growing out of Civil War, etc.—From and after the passage and approval of this Act the jurisdiction of the Court of Claims shall not extend to or include any claim against the United States based upon or growing out of the destruction of any property or damage done to any property by the military or naval forces of the United States during the war for the suppression of the rebellion; nor to any claim for stores and supplies taken by or furnished to or for the use of the military or naval forces of the United States, nor to any claim for the value of any use and occupation of any real estate by the military or naval forces of the United States during said war; nor shall said Court of Claims have jurisdiction of any claim which is now barred by the provisions of any law of the United States. *Sec. 5, act of Mar. 4, 1915 (38 Stat. 996).*

¹ Four attorneys at \$5,000 each in the Department of Justice authorized.

CHAPTER VIII.

THE DEPARTMENT OF THE NAVY—THE MARINE CORPS.

	Par.		Par.
Enlisted men on shore duty entitled to ration or commutation allowed to enlisted men of Army-----	304a	Officers and enlisted men of Medical Department of Navy serving with Marine Corps when detached for service with Army subject to articles of war -----	305a
Same—When impracticable to furnish Army ration may be allowed Navy ration or commutation thereof-----	304b		

304a. *Enlisted men on shore duty entitled to ration or commutation allowed to enlisted men of Army.*—No law shall be construed to entitle enlisted men on shore duty to any rations or commutation therefor other than such as are now or may hereafter be allowed enlisted men in the Army. *Act of Aug. 29, 1916 (39 Stat. 613).*

(The act of Mar. 4, 1917 (39 Stat., 1189), contains a provision identical with above paragraph, except that the provision is preceded by the word hereafter.)

304b. *Same—When impracticable to furnish Army ration may be allowed Navy ration or commutation thereof.*—When it is impracticable or the expense is found greater to supply marines serving on shore duty in the island possessions and on foreign stations with the Army ration, such marines may be allowed the Navy ration or communication thereof. *Id.*

(The act of Mar. 4, 1917 (39 Stat., 1189), contains a provision identical with above paragraph.)

305a. *Officers and enlisted men of Medical Department of Navy serving with Marine Corps when detached for service with Army subject to articles of war.*—Officers and enlisted men of the Medical Department of the Navy, serving with a body of marines detached for service with the Army in accordance with the provisions of section sixteen hundred and twenty-one of the Revised Statutes, shall, while so serving, be subject to the rules and articles of war prescribed for the government of the Army in the same manner as the officers and men of the Marine Corps while so serving. *Id., 573.*

CHAPTER X.

THE MILITARY ESTABLISHMENT—GENERAL PROVISIONS OF ORGANIZATION.

THE REGULAR ARMY—THE VOLUNTEER ARMY AND THE MILITIA.¹

Par.	Par.
Composition of the Army of the United States..... 329a	Enlisted men who have completed one year's service may become candidates for vacancies caused by increase..... 331f
Tour of duty of officers and enlisted men in Philippine Islands and the Canal Zone... 330a	Lineal and relative rank of second lieutenants appointed to original vacancies created by this act..... 331g
Composition of Regular Army... 331a	Saving clause..... 331h
Increase to be made in five increments 331b	Repealing clause..... 331i
Limitation on promotions or appointments of officers to vacancies caused by second increment 331b½	Excessive enlistment of recruits to supply trained men for organizations serving outside limits of United States..... 332a
May be immediately made in event of actual or threatened war 331c	Increase of organizations to maximum strength in an emergency 332b
Immediately raise, organize, officer, and equip all increments at maximum strength..... 331c½	Same—Unassigned recruits, not to exceed 5 per cent of total enlisted strength, not to be counted..... 332c
Same—Filling of vacancies caused by increase; termination of provisional appointments 331c½	Enlisted personnel of organizations of Regular Army to be maintained not below minimum strength..... 332d
Vacancies in grade of second lieutenant caused by increase, how filled..... 331d	Enlisted strength of the line of the Army, maximum..... 332e
Appointments to fill vacancies in grade of second lieutenant, order of appointment..... 331d½	Same—Unassigned recruits not to exceed 7 per cent of authorized strength..... 332f
Waiver of age limit of candidates for second lieutenant... 331d½	Enlisted strength to be exclusive of soldiers sentenced to dishonorable discharge 332g
Same—Vacancies not filled on graduation of cadet class; vacancies not caused by increase to be filled under existing law..... 331e	Retirement of officers of Philippine Scouts..... 339a-339e

¹ For statutes respecting the militia, see chapter entitled "The Militia." See also chapter entitled "Volunteers."

	Par.		Par.
Retirement of captains and lieutenants of Philippine Scouts who are citizens of the United States.....	339a	Citizenship of enlisted personnel, and term of enlistment...	343a
Same—Double time for service beyond continental limits of United States not to be counted for purpose of.....	339b	Colonel to be detailed from Infantry arm.....	345a
Same—Former officers who resigned or were discharged on account of wounds received in action and were retired as enlisted men to receive benefit of section.....	339c	Vacancies in grades of lieutenant colonel and major, how filled; captains and lieutenants eligible for details, transfers, etc.....	345b
Same—Former officer who resigned or was discharged on account of disability contracted in line of duty and has been retired as enlisted man to receive benefit of section...	339d	Permanent captains in, to be recommissioned as captains of Infantry, United States Army.....	346a
Same—Retirement of Bernard A. Schaaf, late a lieutenant of; credit for continuous service.....	339e	Same—Lineal and relative rank as captains of Infantry.....	346b
Porto Rico Regiment of Infantry.....	341a-348a	Same—Commissioned service to be counted in determining lineal and relative rank.....	346c
Organization same as Infantry regiment of Regular Army....	341a	Lineal and relative rank of officers who held commissions in the Provisional Regiment on June 30, 1908.....	346d
		Second lieutenants, appointment of.....	347a
		Promotion to fill vacancies between grades of second lieutenant and colonel.....	348a

329a. Composition of the Army of the United States.—The Army of the United States shall consist of the Regular Army, the Volunteer Army, the Officers' Reserve Corps, the Enlisted Reserve Corps, the National Guard while in the service of the United States, and such other land forces as are now or may hereafter be authorized by law.¹ *Sec. 1, Act of June 3, 1916 (39 Stat. 166).*

¹ There is but one Army of the United States, and every organization, bureau, officer, and man in the military service is part of it. The Inspector General's Department, as well as all other staff corps and departments are to be reorganized out of the Army at large so that such departments may properly perform their ever-increasing functions. The primary authority for providing the necessary staff officers in the increased establishment is not to be found in the use of reserve officers as such, but in the power to appoint necessary officers under the National Army act. (War Dept. Bul. 67, Nov. 30, 1917.)

A commission in the Regular Army is a permanent one carrying with it the rights of retirement and can be terminated only in the manner provided by law. Commissions in the National Guard (drafted into the service of the United States) and the National Army are for the period of the emergency and can be terminated by the President for any cause which, in the judgment of the President, would promote the public service, or upon the approved finding of a board of officers appointed by the general commanding a division or higher tactical organization or territorial department. (Selective service act, May 18, 1917, sec. 9.) Commissions in the Officers' Reserve Corps are for a period of five years unless sooner terminated in the discretion of the President. (National defense act, June 3, 1916, sec. 37.) As to provisional appointments as second lieutenants in the Regular Army, see section 23 of the National Defense Act, supra.

The right of an incumbent of a military office to resign his office at pleasure is subject to certain restrictions growing out of his military status. Thus, the

330a. *Tour of duty of officers and enlisted men in Philippine Islands and the Canal Zone.*—On and after October first, nineteen hundred and fifteen, no officer or enlisted man of the Army shall, except upon his own request, be required to serve in a single tour of duty for more than two years in the Philippine Islands, nor more than three years in the Panama Canal Zone, except in case of insurrection or of actual or threatened hostilities: *Provided further*, That the foregoing provision shall not apply to the organization known as the Philippine Scouts. *Act of Mar. 4, 1915 (38 Stat. 1078).*

331a. *Composition of Regular Army.*—The Regular Army of the United States, including the existing organizations, shall consist of sixty-four regiments of Infantry, twenty-five regiments of Cavalry,¹ twenty-one regiments of Field Artillery, a Coast Artillery Corps, the brigade, division, army corps, and army headquarters, with their detachments and troops, a General Staff Corps, an Adjutant General's Department, an Inspector General's Department, a Judge Advocate General's Department, a Quartermaster Corps, a Medical Department, a Corps of Engineers, an Ordnance Department, a Signal Corps, the officers of the Bureau of Insular Affairs, the Militia Bureau, the detached officers, the detached noncommissioned officers, the chaplains, the Regular Army Reserve, all organized as hereinafter provided, and the following as now authorized by law: The officers and enlisted men on the retired list; the additional officers; the professors, the Corps of Cadets, the general Army service detachment, and detachments of Cavalry, Field Artillery, and Engineers, and the band of the United States Military Academy; the post noncommissioned staff officers; the recruiting parties, the recruit depot detachments, and unassigned recruits; the service school detachments; the disciplinary guards; the disciplinary organizations; the Indian Scouts; and such other officers and enlisted men as are now or may be hereafter provided for. *Sec. 2, act of June 3, 1916 (39 Stat. 166).*

(See paragraphs 332d, 332e, and 332f for the remaining provisions of this section.)

331b. *Increase to be made in five increments.*—Except as otherwise specifically provided by this Act, the increases in the commissioned and enlisted personnel of the Regular Army provided by this Act shall be made in five annual increments, each of which shall be, in each grade of each arm, corps, and department, as nearly as practi-

resignation of an officer under charges need not be accepted. Similarly, the resignation of an officer in time of war may be refused. (Dig. Opin. J. A. G., January, 1918.)

¹For authorization for provisional organization of cavalry into field artillery or infantry during the present emergency see paragraphs 1071b and 1071c, post.

cable, one-fifth of the total increase authorized for each arm, corps, and department. Officers promoted to vacancies created or caused by the addition of the first increment shall be promoted to rank from July first, nineteen hundred and sixteen, and those promoted to vacancies created or caused by the second increment shall be promoted to rank from July first, nineteen hundred and seventeen; those promoted to vacancies created or caused by the addition of the third increment shall be promoted to rank from July first, nineteen hundred and eighteen; those promoted to vacancies created or caused by the addition of the fourth increment shall be promoted to rank from July first, nineteen hundred and nineteen; and those promoted to vacancies created or caused by the addition of the fifth increment shall be promoted to rank from July first, nineteen hundred and twenty. *Sec. 24, id. 182.*

331b $\frac{1}{2}$. *Limitation on promotions or appointments of officers to vacancies caused by second increment.*—No part of this appropriation shall be paid to any officer of the line of the Army who shall be appointed or promoted in violation of any of the terms next hereinafter specified: That of the whole number of officers of Cavalry, Field Artillery, Coast Artillery Corps, Infantry, and of Engineers serving with the enlisted force of the Corps of Engineers necessary to fill vacancies created or caused in said arms of the service by reason of the second increment, authorized in said arms by Act of Congress approved June third, nineteen hundred and sixteen, not more than one-fourth shall be appointed or promoted until, exclusive of enlisted men belonging to said arms on June thirtieth, nineteen hundred and sixteen, at least one-fourth of the second increment of enlisted men authorized for said arms by said Act shall have been enlisted; not more than one-half of said whole number of officers shall be appointed or promoted until at least one-half of said increment of enlisted men shall have been enlisted; and not more than three-fourths of said whole number of officers shall be appointed or promoted until at least three-fourths of said increment of enlisted men shall have been enlisted. And all officers promoted in accordance with the terms of this proviso shall take rank, respectively, from the dates on which their promotions shall have become lawful under the terms of this proviso. *Act of May 12, 1917 (40 Stat. 44).*

331c. *May be immediately made in event of actual or threatened war.*—In the event of actual or threatened war or similar emergency in which the public safety demands it the President is authorized to immediately organize the entire increase authorized by this Act, or so much thereof as he may deem necessary, and when, in the judgment of the President, war becomes imminent, all of said organizations that shall then be below the maximum enlisted strength author-

ized by law shall be raised forthwith to that strength, and shall be maintained as nearly as possible thereat so long as war, or the imminence of war, shall continue. *Sec. 24, act of June 3, 1916 (39 Stat. 182).*

331c $\frac{1}{4}$. *Immediately raise, organize, officer, and equip all increments at maximum strength.*—In view of the existing emergency, which demands the raising of troops in addition to those now available, the President be, and he is hereby, authorized—

Immediately to raise, organize, officer, and equip all or such number of increments of the Regular Army provided by the national defense Act approved June third, nineteen hundred and sixteen, or such parts thereof as he may deem necessary; to raise all organizations of the Regular Army, including those added by such increments, to the maximum enlisted strength authorized by law. *Par. 1, Sec. 1, Act of May 18, 1917 (40 Stat. 76).*

(For provision authorizing the raising of the enlisted men necessary to maintain the organizations of the Regular Army at their maximum legal strength by voluntary enlistment or by selective draft, see paragraph 1637, post.)

331c $\frac{1}{2}$. *Same—Filling of vacancies caused by increase; termination of provisional appointments.*—Vacancies in the Regular Army created or caused by the addition of increments as herein authorized which can not be filled by promotion may be filled by temporary¹ appointment for the period of the emergency or until replaced by permanent appointments or by provisional appointments made under the provisions of section twenty-three² of the national defense Act, approved June third, nineteen hundred and sixteen, and hereafter provisional appointments under said section may be terminated whenever it is determined, in the manner prescribed by the President, that the officer has not the suitability and fitness requisite for permanent appointment.³ *Id.*

(For par. 2 of this section, see pars. 1339p and 1339q, post.)

¹The President has complete power to discharge any temporary officer of the Regular Army holding appointment under section 1 of the act of May 18, 1917. Commanding generals may appoint military boards to pass upon the capacity and fitness of such officer, whose findings may be laid before the President for such action as he sees fit. (Secs. 1 and 9 of act of May 18, 1917; subpar. 2 of par. 7, G. O. 76, c. s.) But the President may discharge provisional officers appointed under section 23 of the national-defense act of June 3, 1916, only after due investigation, such as is provided for in paragraph 7, G. O. 76, c. s. (War Dept. Bull. 72, Dec. 24, 1917.)

²Paragraph 918a, post, or 39 Stat. 181.

³Under section 1 of the selective draft act the President is given power to terminate provisional appointments whenever it is determined that the officer is unfit for permanent appointment. G. O. 76, W. D., June 26, 1917, lays down the rules prescribed by the President for determining the fitness of such officers. The procedure therein prescribed must be followed. (War Dept. Bull. 72, Dec. 24, 1917.)

The term "temporary promotion," as used in the National Army act of May 18, 1917, and in section 114, national-defense act of June 3, 1916, contemplates promotion as ordinarily understood in military legislation. Temporary promo-

331d. Vacancies in grade of second lieutenant caused by increase; how filled.—Vacancies in the grade of second lieutenant, created or caused by the increases due to this Act, in any fiscal year shall be filled by appointment in the following order: (1) Of cadets graduated from the United States Military Academy during the preceding fiscal year for whom vacancies did not become available during the fiscal year in which they were graduated; (2) under the provisions of existing law, of enlisted men, including officers of the Philippine Scouts, whose fitness for promotion shall have been determined by competitive examination; (3) of members of the Officers' Reserve Corps between the ages of twenty-one and twenty-seven years; (4) of commissioned officers of the National Guard between the ages of twenty-one and twenty-seven years; (5) of such honor graduates, between the ages of twenty-one and twenty-seven years, of distinguished colleges as are now or may hereafter be entitled to preference by general orders of the War Department; and (6) of candidates from civil life between the ages of twenty-one and twenty-seven years; and the President is authorized to make the necessary rules and regulations to carry these provisions into effect.¹ *Sec. 24, act of June 3, 1916 (39 Stat. 182).*

(See pars. 918 and 918a.)

331d₁. Appointments to fill vacancies in grade of second lieutenant, order of appointment.—The first part of the second paragraph of section twenty-four of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes," approved June third, nineteen hundred and sixteen, down to

tion by seniority contemplates that the appointing power shall be satisfied that the officer about to be promoted is qualified. No officer is entitled to promotion regardless of his qualifications. Failure of an officer to discharge the duties of a higher grade in the National Army may and should be regarded by the President as satisfactory evidence of his disqualification to perform the duties of the same grade in the Regular Army. It is within the power of the War Department to prescribe how long an officer who has demonstrated his disqualification for higher command in the National Army shall remain ineligible for temporary promotion in the Regular Army and upon what conditions he shall become eligible for such promotion. (War Dept. Bul. 75, Dec. 31, 1917.)

¹ *Held*, that both the examination and the appointment must come within the age limits specified by the statute, and that an applicant who failed in an examination was not eligible for a reexamination and appointment after he had passed the maximum age limit. (War Dept. Bull. 57, Dec. 22, 1916.)

Inquiry was made whether commissioned officers of the National Guard Reserve are included in the expression "commissioned officers of the National Guard," designated by section 24 of the national-defense act as the fourth class in the order of appointment to vacancies in the grade of second lieutenant.

Held, that section 69, relating to the period of enlistment, and section 70, prescribing the oath of enlistment, as well as other sections of the national-defense act, indicate clearly that the term "National Guard" includes an active and a reserve force, and that unless the context indicates a different meaning the term "National Guard" should be construed as including the National Guard Reserve. The question was answered in the affirmative. (War Dept. Bull. 15, Mar. 24, 1917.)

the first proviso in said paragraph, be, and the same is hereby amended to read as follows:

"Vacancies in the grade of second lieutenant created or caused by the increases due to this Act, in any fiscal year shall be filled by appointment in the following order: (First) Of cadets graduated from the United States Military Academy during the preceding fiscal year for whom vacancies did not become available during the fiscal year in which they graduated; (second) under the provisions of existing law of enlisted men,¹ including officers of Philippine Scouts,² between the ages of twenty-one and thirty-four years, whose fitness for promotion shall have been determined by competitive examination; and of members, including officers, of the Organized Militia, the National Guard, or Naval Militia, between the ages of twenty-one and thirty-four years who have had at least ninety days actual Federal military service under any call of the President during the calendar year nineteen hundred and sixteen, and whose fitness for promotion shall have been determined by examination;³ (third) of members of the Officers' Reserve Corps between the ages of twenty-one and twenty-seven years, of distinguished colleges as are now or may hereafter be entitled to preference by general orders of the War Department; and (sixth) of candidates from civil life between the

¹ Two enlisted men were discharged to enable them to accept commissions. They were then appointed second lieutenants, without knowledge that they were below the statutory age. *Held*, That such discharge from military service, unless it was obtained by fraud, is final and cannot be amended or revoked; that the appointment to the office of second lieutenant, having been completed, cannot be rescinded by the appointing authority; and hence the appointees can be removed only by resorting to the procedure established by law for the removal of officers; that the fact that such appointees were under the age of 21 in no way impeaches their right to hold the offices to which they were appointed, the matter of their eligibility having been foreclosed by the action of the appointing power. (Dig. Opin. J. A. G., January, 1918.)

² An officer in the Philippine Scouts, with the permission of the examining board, took and passed the examination for appointment as a provisional second lieutenant, at a time when he was ineligible to take such examination because he had completed only ten months of the one year of service required by law. *Held*, that such examination can be accepted as the basis for his appointment after he has completed his one year of service. The time of taking the examination is not important, if the period intervening between the date of examination and the date of induction into office be not so great that a change in the qualifications of the candidate is likely to result in the interim. (*Id.*)

³ *Held*, that a person who had been discharged from the National Guard and had entered a training camp as a candidate for a commission was not eligible for appointment as a second lieutenant under the said provision, as the qualification of membership in the National Guard must exist at the date of appointment.

Held further, that a National Guard enlisted man furloughed to the National Guard Reserve was eligible for appointment under the said provision as he continued to be a member of the National Guard.

Held further, that no person is eligible as a member of the National Guard for appointment as a provisional second lieutenant in the Regular Army under section 24 of the national-defense act as amended by act of May 12, 1917, unless he is a member of the National Guard at the date of appointment. It is immaterial that they were members of National Guard at date of examination. (War Dept. Bull. 67, Nov. 30, 1917.)

ages of twenty-one and twenty-seven years; and the President is authorized to make the necessary rules and regulations to carry these provisions into effect." *Act of May 12, 1917 (40 Stat. 44), amending sec. 24, Act of June 3, 1916 (39 Stat. 182).*

331d $\frac{1}{2}$. *Waiver of age limit of candidates for second lieutenant.*—The President be, and he is hereby, authorized to waive the age limit in all cases where the candidate for second lieutenant, who being within the maximum age limit at the date of examination has passed or may pass the examination, and who has become or may become ineligible on account of age before the date of his appointment; and to appoint such candidate with rank from the same date as other candidates of like class who have been or may be appointed as the result of the same examination: *Provided*, That such appointment is made within one year from the date of such examination. *Act of May 12, 1917 (40 Stat. 73), amending Sec. 24, Act of June 3, 1916 (39 Stat. 182).*

331e. *Same—Vacancies not filled on graduation of cadet class; vacancies not caused by increase to be filled under existing law.*—Any such original vacancies not so filled, and remaining at the time of graduation of any class at the United States Military Academy, may be filled by the appointment of members of that class; and all vacancies in the grade of second lieutenant not created or caused by the increases due to this Act¹ shall be filled as provided in the Act making appropriation for the support of the Army, approved March third, nineteen hundred and eleven. *Sec. 24, act of June 3, 1916 (39 Stat. 182).*

(See par. 918, post.)

331f. *Enlisted men who have completed one year's service may become candidates for vacancies caused by increase.*—Enlisted men of the Regular Army who have completed one year's service with an organization may become candidates for vacancies in the grade of second lieutenant created or caused by the increases due to the operation of this Act.² *Id.* 183.

(See par. 786a for next proviso of this section.)

331g. *Lineal and relative rank of second lieutenants appointed to original vacancies created by this Act.*—Officers appointed to original

¹A man who has completed one year's service in the National Army may become a candidate to fill a vacancy in the grade of second lieutenant in the Regular Army created or caused by the increase due to the operation of the act of June 3, 1916, but not for a vacancy not so caused. The phrase "except as to promotions" in sec. 2 of act of May 18, 1917, applies exclusively to officers. (War Dept. Bull. 67, Nov. 30, 1917.)

²*Held*, That the service as an officer of the Philippine Scouts would confer eligibility within the meaning of the statute quoted, upon the reenlistment of the men. (War Dept. Bul. 47, Nov. 16, 1916.)

Held, That the statute contemplates one year's service in the Army and that the officer of the Philippine Scouts was not qualified by reason of his service in the Marine Corps. (War Dept. Bull. 57, Dec. 22, 1916.)

vacancies in the grade of second lieutenant created or caused by this Act shall take lineal and relative rank according to dates of appointment, and the lineal and relative rank of second lieutenants appointed on the same date shall be determined under such regulations as the Secretary of War may prescribe.¹ *Id.*

(See paragraph 786a for the proviso preceding this paragraph, and paragraphs 931a, 930a, 930b, 961a, and 958a for the remaining provisions of this section.)

331h. *Saving clause.*—Nothing in this Act shall be held or construed so as to discharge any officer from the Regular Army or to deprive him of the commission which he now holds therein. *Sec. 127, id. 217.*

331i. *Repealing clause.*—All laws and parts of laws in so far as they are inconsistent with this Act are hereby repealed. *Sec. 128, id.*

332a. *Excessive enlistment of recruits to supply trained men for organizations serving outside limits of United States.*—To fill vacancies occurring from time to time in the several organizations serving without the limits of the United States with trained men the President is authorized to enlist recruits in numbers equal to four per centum in excess of the total strength authorized for such organizations. *Sec. 29, act of Feb. 2, 1901 (31 Stat. 756).*

332b. *Increase of organizations to maximum strength in an emergency.*—When in the judgment of the President an emergency arises which makes it necessary, all organizations of the Army which are now below the maximum enlisted strength authorized by law shall be raised forthwith to that strength and shall be maintained as nearly as possible thereat so long as the emergency shall continue. *Joint resolution of Mar. 17, 1916 (39 Stat. 36).*

332c. *Same—Unassigned recruits, not to exceed five per centum of total enlisted strength, not to be counted.*—The total enlisted strength of any of said arms of the service shall not include unassigned recruits therefor at depots or elsewhere, but such recruits shall at no time exceed by more than five per centum the total enlisted strength prescribed for such arms; and the enlisted men now or hereafter authorized by law for other branches of the military service shall be provided and maintained without any impairment of the enlisted strength prescribed for any of said arms. *Id.*

¹ *Held*, That the former statute was not modified by the latter provision and that the persons appointed provisional second lieutenants to fill vacancies created or caused by the act of June 3, 1916, and who have had commissioned service in the National Guard in the service of the United States or in the Philippine Scouts are entitled, under sec. 1219, Revised Statutes, to have the time so served as commissioned officers taken into account in fixing their relative and lineal rank.

Held further, That the benefit of former commissioned service under sec. 1219 of the Revised Statutes is effective only within the class from which the appointee is selected, since sec. 24 creates an order of preference in which appointments are made which is not disturbed by the provisions of sec. 1219, Revised Statutes. (War Department Bull. 57, Dec. 22, 1916.)

332d. *Enlisted personnel of organizations of Regular Army to be maintained not below minimum strength.*—Hereafter the enlisted personnel of all organizations of the Regular Army shall at all times be maintained at a strength not below the minimum strength fixed by law. *Sec. 2, act of June 3, 1916 (39 Stat. 166).*

(See paragraph 331a for the preceding provision of this section.)

332e. *Enlisted strength of the line of the Army, maximum.*—The total enlisted force of the line of the Regular Army, excluding the Philippine Scouts and the enlisted men of the Quartermaster Corps, of the Medical Department, and of the Signal Corps, and the unassigned recruits, shall not at any one time, except in the event of actual or threatened war or similar emergency in which the public safety demands it, exceed one hundred and seventy-five thousand men. *Id.*

332f. *Same—Unassigned recruits not to exceed seven per centum of authorized strength.*—The unassigned recruits at depots or elsewhere shall at no time, except in time of war, exceed by more than seven per centum the total authorized enlisted strength. *Id.*

332g. *Enlisted strength to be exclusive of soldiers sentenced to dishonorable discharge.*—The authorized enlisted strength of the Army and of organizations thereof shall be exclusive of soldiers under sentences which include confinement and dishonorable discharge.¹ *Act of Apr. 27, 1914 (38 Stat. 354).*

RETIREMENT OF OFFICERS OF PHILIPPINE SCOUTS.

339a. *Retirement of captains and lieutenants of Philippine Scouts who are citizens of the United States.*—Captains and lieutenants of Philippine Scouts who are citizens of the United States shall hereafter be entitled to retirement under the laws governing the retirement of enlisted men of the Regular Army, except that they shall be retired in the grade held by them at the date of retirement, shall be entitled to retirement for disability under the same conditions as officers of the Regular Army, and that they shall receive, as retired pay, the amounts allowed by law, as retired pay and allowances, of master signal electricians of the United States Army, and no more. *Sec. 26, act of June 3, 1916 (39 Stat. 185).*

339b. *Same—Double time for service beyond continental limits of United States not to be counted for purpose of.*—Double time for service beyond the continental limits of the United States shall not be counted for the purposes of this section so as to reduce the actual period of service below twenty years. *Id.*

339c. *Same—Former officers who resigned or were discharged on account of wounds received in action and were retired as enlisted*

¹ See paragraph 1049.

men to receive benefit of section.—Former officers of the Philippine Scouts who, because of disability occasioned by wounds received in action, have resigned or been discharged from the service, or who have heretofore served as such for a period of more than five years and have been retired as enlisted men, shall be placed upon the retired list as officers of Philippine Scouts and thereafter receive the retired pay and allowances provided by this section for other officers of Philippine Scouts. *Id.*

339d. *Same*—Former officer who resigned or was discharged on account of disability contracted in line of duty and has been retired as enlisted man to receive benefit of section.—Any former officer of Philippine Scouts who vacated his office in the Philippine Scouts by discharge or resignation on account of disability contracted in the line of duty and who was subsequently retired as an enlisted man, except any former officer of Philippine Scouts who has been retired as an enlisted man by special Act of Congress, shall be transferred to the retired list created by this section and shall thereafter receive the retired pay and allowances authorized by this section, and no more. Officers of Philippine Scouts retired under the provisions of this section shall not form part of the limited retired list now authorized by law. *Id.*

339e. *Same*—Retirement of Bernard A. Schaaf, late a lieutenant of; credit for continuous service.—The President of the United States is hereby authorized to place Bernard A. Schaaf, formerly first sergeant of Company K, Eighth Regiment United States Infantry, and later a lieutenant of Philippine Scouts, on the retired list of the Army with the rank, pay, and allowance of a master signal electrician: *Provided*, That in computing the soldier's pay credit shall be given for all his continuous service in the Army. *Act of Feb. 8, 1917 (39 Stat. 900).*

PORTO RICA REGIMENT OF INFANTRY.

341a. *Organization same as Infantry regiment of Regular Army.*—The Porto Rico Regiment of Infantry of the United States Army shall hereafter have the same organization, and the same grades and numbers of commissioned officers and enlisted men, as are by this Act or shall hereafter be prescribed by law for other regiments of Infantry of the Army.¹ *Sec. 21, act of June 3, 1916 (39 Stat. 180).*

¹ The Porto Rico Regiment of Infantry is a component part of the Regular Army. Consequently, temporary vacancies therein resulting from the appointment of officers to higher grades in the forces other than the Regular Army are to be filled, as provided by section 8 of the act of May 18, 1917, by temporary promotions and appointments according to seniority in rank of officers holding commissions in the next lower in said regiment. (War Dept. Bull. 75, Dec. 31, 1917.)

343a. *Citizenship of enlisted personnel, and term of enlistment.*—All men hereafter enlisting in said regiment shall be natives of Porto Rico. All enlistments in the regiment shall hereafter be the same as is provided herein for the Regular Army, and the regiment, or any part thereof, may be ordered for service outside the island of Porto Rico. The pay and allowances of members of said regiment shall be the same as provided by law for officers and enlisted men of like grades in the Regular Army. *Id.* 181.

345a. *Colonel to be detailed from Infantry arm.*—The colonel of said regiment shall be detailed by the President, from among officers of Infantry of the Army not below the grade of lieutenant colonel, for a period of four years unless sooner relieved. *Id.*

345b. *Vacancies in grades of lieutenant colonel and major, how filled; captains and lieutenants eligible for details, transfers, etc.*—Vacancies created by this Act in the grades of lieutenant colonel and major in said regiment shall be filled by appointments from the senior captains in regimental rank of the Porto Rico regiment mentioned in the Act of March fourth, nineteen hundred and fifteen;¹ and captains and lieutenants of said regiment shall also be eligible for such detached service,² transfer, or assignment to duty with other organizations as may be approved by the Secretary of War; but vacancies created by such detachment of officers shall not be filled by promotions or appointments. *Id.*

346a. *Permanent captains in, to be recommissioned as captains of Infantry, United States Army.*—The permanent captains of the

¹ See paragraphs 346a, 346b, and 346c, post.

² Upon reference to the Judge Advocate General for opinion as to the eligibility of a first lieutenant of the Porto Rico Regiment of Infantry for detail as a student officer in the Ordnance Department under section 21 of the national-defense act of June 3, 1916, providing that captains and lieutenants of said regiment "shall also be eligible for such detached service, transfer, or promotion to duty with other organizations as may be approved by the Secretary of War; but vacancies created by such appointments of officers shall not be filled by promotions or appointments."

Held, that as section 12 of the same act clearly contemplates that lieutenants detailed as student officers in the establishments of the Ordnance Department shall be eligible, if they satisfactorily complete the course of instruction, for detail to fill vacancies in the Ordnance Department for the period of four years and for redtail for like periods during their commissioned service, and provides also that vacancies resulting from details to vacancies in the Ordnance Department shall be filled by promotion or appointment, while, as to details for detached service of captains and lieutenants of the Porto Rico Regiment it is expressly provided that they shall not be filled by promotion or appointment, it must be *held* that such officers of said regiment are not eligible for detail to vacancies in the Ordnance Department or for detail as student officers in the ordnance establishments for the reason that such details contemplate eligibility for subsequent details in the ordnance establishment.

Held further, that the provisions of section 21 would be given reasonable effect by limiting their operation to details for detached service other than the filling of vacancies in respect to which the law provides that details thereto shall create vacancies to be filled by promotion or appointment. War Dept. Bull. 18, Apr. 6, 1917.)

Porto Rico Regiment of Infantry now holding commissions as such in said regiment shall be recommissioned as captains of Infantry of the United States Army, to take rank on the lineal list of officers of Infantry immediately after the junior officers of the same grade whose total commissioned service equals or exceeds theirs. *Act of Mar. 4, 1915 (38 Stat. 1070).*

346b. *Same—Lineal and relative rank as captains of Infantry.*—Those officers of the Porto Rico Regiment of Infantry, recommissioned as captains of Infantry, whose total commissioned service is less than that of any officer of Infantry of the next lower grade, shall not advance on the lineal list of captains of Infantry, nor on the relative list of officers of the United States Army, until such time as there no longer remains on the lineal list of officers of Infantry any officer of the next lower grade of equal or greater length of total commissioned service and shall take rank in the grade of captain on the lineal list of officers of Infantry and on the relative list of officers of the United States Army immediately after the juniors in rank of such officers of Infantry of equal or greater total commissioned service. *Id.*

346c. *Same—Commissioned service to be counted in determining lineal and relative rank.*—For the purpose of this act total commissioned service shall include commissioned service in the Regular Army, in the Volunteers, in the Porto Rico Provisional Regiment of Infantry, and in the Porto Rico Regiment of Infantry, and that the commissioned service of those officers of the Porto Rico Regiment of Infantry who were officers of the Porto Rico Provisional Regiment of Infantry, shall be counted as continuous and uninterrupted between the twenty-ninth day of June, nineteen hundred and eight, and the thirty-first day of December, nineteen hundred and eight. *Id.*

346d. *Lineal and relative rank of officers who held commissions in the Provisional Regiment on June 30, 1908.*—Officers of the Porto Rico Regiment of Infantry, United States Army, who held commissions in the Porto Rico Provisional Regiment of Infantry on June thirtieth, nineteen hundred and eight, shall now and hereafter take rank in their grades in the same relative order held by them in said Porto Rico Provisional Regiment of Infantry on June thirtieth, nineteen hundred and eight, subject to any loss in rank due to failure to pass examinations for promotion or to sentence of court-martial. *Sec. 21, act of June 3, 1916 (39 Stat. 181).*

347a. *Second lieutenants, appointment of.*—Vacancies created by this Act or occurring hereafter in the grade of second lieutenant in said regiment shall be filled during any calendar year by the appointment by the President, by and with the advice and consent of the Senate, of any native of Porto Rico graduated from the United

States Military Academy, and, after such appointment shall have been made or provided for, by like appointment of native citizens of Porto Rico between twenty-one and twenty-seven years of age. *Id.*

348a. *Promotion to fill vacancies between grades of second lieutenant and colonel.*—All vacancies created by this Act or occurring hereafter in commissioned offices of said regiment above the grade of second lieutenant and below the grade of colonel shall, except as hereinafter provided to the contrary, be filled by promotion according to seniority in the several grades and within the regiment, subject to the examination prescribed by section three of the Act of Congress approved October first, eighteen hundred and ninety,¹ and said section is hereby extended so as to apply in the cases of all officers below the grade of lieutenant colonel, who shall hereafter be examined for promotion in the Porto Rico Regiment of Infantry, except that the President may prescribe such a system of examination for the promotion of officers of said regiment as he may deem advisable. *Id.* 180.

¹ Paragraph 830, or 26 Stat. 562.

CHAPTER XI.

GENERAL OFFICERS AND AIDS.

	Par.		Par.
General officers of the line and staff-----	350a	Generals and lieutenant generals, number-----	350d
Increase in number of general officers of the line-----	350b	Same—Pay and allowances-----	350e
Same—Officers eligible for appointment as, in time of peace-----	350c		

350a. *General officers of the line and staff.*—Officers commissioned to and holding in the Army the office of a general officer shall hereafter be known as general officers of the line; officers commissioned to and holding in the Army an office other than that of a general officer, but to which the rank of a general officer is attached, shall be known as general officers of the staff. *Sec. 4, Act of June 3, 1916 (39 Stat. 167).*

350b. *Increase in number of general officers of line.*—The number of general officers of the line now authorized by law is hereby increased by four major generals and nineteen brigadier generals. *Id.*

350c. *Same—Officers eligible for appointment as, in time of peace.*—Hereafter in time of peace major generals of the line shall be appointed from officers of the grade of brigadier general of the line, and brigadier generals of the line shall be appointed from officers of the grade of colonel of the line of the Regular Army. *Id.*

350d. *Generals and lieutenants general, number.*—Section eight of the act entitled “An act to authorize the President to increase temporarily the military establishment of the United States,” approved May 18, 1917, shall be held and construed to authorize the President, in accordance with the provisions of said act and for the period of the existing emergency only, to appoint as generals the Chief of Staff and the commander of the United States forces in France; and as lieutenant general each commander of an army or army corps

organized as authorized by existing laws. *Sec. 3, Act of Oct. 6, 1917 (40 Stat. 410).*

(For section 8, act of May 18, 1917, authorizing the temporary appointment of general officers in the National Army and for filling vacancies in the Regular Army resulting from such appointments, see pars. 1663 and 1664, post.)

350e. Same—Pay and allowances.—The pay of the grades of general and lieutenant general shall be \$10,000 and \$9,000 a year, respectively, with allowances appropriate to said grades as determined by the Secretary of War. *Id.*, 411.

(For the ensuing provisions of this section see pars. 352a and 373a, post.)

CHAPTER XII.

RANK AND COMMAND—TACTICAL AND TERRITORIAL ORGANIZATIONS.

	Par.		Par.
Relative rank of Navy and Army officers -----	352a	Pay to clerks, messengers, and laborers at headquarters of several territorial departments, territorial districts, tactical divisions, and brigades, service schools, and office of the Chief of Staff----	362a
Relative rank—Commissioned service in Marine Corps to be considered in determining Composition of brigades, divisions, and corps-----	353a 356a	Same—Increased pay for foreign service, employment of Filipinos, assignment to duty in War Department-----	362b
Brigade, division, and corps organizations may be increased or decreased -----	356b	Headquarters clerks to be known as Army field clerks; rates of pay for; subject to Articles of War-----	362c
Composition of regiments not to be increased nor number of regiments decreased -----	356c	Same—Employed and assigned by Secretary of War; not to be assigned to duty in War Department-----	362d
Additional machine-gun companies for Infantry and Cavalry brigades and divisions-----	356d		
Armored motor-car machine-gun companies for divisions; composition of-----	356e		

352a. *Relative rank of Navy and Army officers.*—Brigadier generals of the Army shall hereafter rank relatively with rear admirals of the lower half of the grade. *Sec. 3, Act of Oct. 6, 1917 (40 Stat. 411).*

(For the preceding provisions of this section see pars. 250d and 250e, ante, and for the ensuing provision see par 373a, post.)

353a. *Relative rank—Commissioned service in Marine Corps to be considered in determining.*—Any second lieutenant of the United States Marine Corps who may have been appointed second lieutenant of artillery since the second day of February, nineteen hundred and one, and prior to the passage of this Act, shall, in determining his lineal and relative rank, be entitled to the same credit for prior commissioned service as a lieutenant of volunteers appointed under the Act entitled “An Act to increase the efficiency of the permanent Military Establishment of the United States,” approved February

second, nineteen hundred and one. *Act of Dec. 20, 1904 (33 Stat. 595).*

356a. Composition of brigades, divisions, and corps.—The mobile troops of the Regular Army of the United States shall be organized, as far as practicable, into brigades and divisions. The President is authorized, in time of actual or threatened hostilities, or when in his opinion the interests of the public service demand it, to organize the brigades and divisions into such Army corps or armies as may be necessary. The typical Infantry brigade shall consist of a headquarters and three regiments of Infantry. The typical Cavalry brigade shall consist of a headquarters and three regiments of Cavalry. The typical Field Artillery brigade shall consist of a headquarters and three regiments of Field Artillery. The typical Infantry division shall consist of a headquarters, three Infantry brigades, one regiment of Cavalry, one Field Artillery brigade, one regiment of Engineers, one field signal battalion, one aero squadron, one ammunition train, one supply train, one engineer train, and one sanitary train. The typical Cavalry division shall consist of a headquarters, three Cavalry brigades, one regiment of Field Artillery (horse), one battalion of mounted Engineers, one field signal battalion (mounted), one aero squadron, one ammunition train, one supply train, one engineer train, and one sanitary train. The typical army corps shall consist of a headquarters, two or more Infantry divisions, one or more Cavalry brigades or a Cavalry division, one Field Artillery brigade, one telegraph battalion, and one field signal battalion, and such ammunition, supply, engineer, and sanitary trains as the President may deem necessary. A brigade, a division, an army corps, and an army headquarters shall consist of such officers, enlisted men, and civilians as the President may prescribe. Each supply train, ammunition train, sanitary train, and engineer train shall consist of such officers and enlisted men and shall be organized as the President may prescribe, the line officers necessary therewith to be detailed under the provisions of sections twenty-six and twenty-seven, Act of Congress approved February second, nineteen hundred and one. Nothing herein contained, however, shall prevent the President from increasing or decreasing the number of organizations prescribed for the typical brigades, divisions, and army corps, or from prescribing new and different organizations and personnel as the efficiency of the service may require.¹ *Sec. 3, act of June 3, 1916 (39 Stat. 166).*

¹ *Held*, That in the organization of brigade headquarters the above provision would not authorize the creation of any grade not known to the law, such as a suggested brigade sergeant major, but that the President in the organization of brigade, division, or Army corps headquarters may employ such enlisted men in the grades and within the numerical limits authorized by law, in addition to those required for organizations, as he may determine to be necessary

356b. *Brigade, division, and corps organizations may be increased or decreased.*—The President is authorized to increase or decrease the number of organizations prescribed for the typical brigades, divisions, or army corps of the Regular Army, and to prescribe such new and different organizations and personnel for army corps, divisions, brigades, regiments, battalions, squadrons, companies, troops, and batteries as the efficiency of the service may require. *Par. 3, Sec. 1, Act of May 18, 1917 (40 Stat. 76).*

(For preceding provisions of this paragraph of section 1, see paragraphs 1630 and 1631.)

356c. *Composition of regiments not to be increased nor number of regiments decreased.*—The number of organizations in a regiment shall not be increased nor shall the number of regiments be decreased. *Id.*, 77.

356d. *Additional machine-gun companies for Infantry and Cavalry brigades and divisions.*—The President in his discretion may organize, officer, and equip for each Infantry and Cavalry brigade three machine-gun companies, and for each Infantry and Cavalry division four machine-gun companies, all in addition to the machine-gun companies comprised in organizations included in such brigades and divisions. *Id.*

356e. *Armored motor-car machine-gun companies for divisions, composition of.*—The President in his discretion may organize for each division one armored motor-car machine-gun company. The machine-gun companies organized under this section shall consist of such commissioned and enlisted personnel and be equipped in such manner as the President may prescribe. *Id.*

(For the ensuing provision of this paragraph of section 1, see paragraph 1632.)

362a. *Pay to clerks, messengers, and laborers at headquarters of several territorial departments, territorial districts, tactical divisions and brigades, service schools, and office of the Chief of Staff.*—One chief clerk, at the office of the Chief of Staff, \$2,250 per annum; three clerks, at \$2,000 each per annum; twelve clerks, at \$1,800 each per annum; fifteen clerks, at \$1,600 each per annum; thirty-eight clerks, at \$1,400 each per annum; seventy clerks, at \$1,200 each per annum; sixty-five clerks, at \$1,000 each per annum; six clerks (Filipinos), at \$500 each per annum; one captain of the watch, at \$900 per annum; three watchmen, at \$720 each per annum; one

for the purpose, and may, therefore, include in the organization of a brigade headquarters as a part thereof and not detailed from any organization a sergeant major with the rank, pay, and allowances of whatever grade of sergeant major he may designate: *And further,* That he may also include in the organization of a brigade headquarters as personnel thereof and not pertaining to any other organization such enlisted men of other grades authorized by law as he may deem necessary. (War Dept. Bull. 34, Sept. 12, 1916.)

gardener, at \$720 per annum; one packer, at \$840 per annum; two messengers, at \$840 each per annum; fifty-nine messengers, at \$720 each per annum; six messengers (Filipinos), at \$300 each per annum; one laborer, at \$660 per annum; two laborers, at \$600 each per annum; five charwomen, at \$240 each per annum. In all, \$312,690. Additional pay while on foreign service, \$9,000. *Act of Mar. 4, 1915 (38 Stat. 1067)*.

362b. *Same—Increased pay for foreign service, employment of Filipinos, assignment to duty in War Department.*—On and after July first, nineteen hundred and fourteen, the pay of clerks and messengers at headquarters of territorial departments, tactical divisions, brigades, and service schools, who are citizens of the United States, shall be increased \$200 each per annum while serving in the Philippine Islands, such service to be computed from the date of departure from the continental limits of the United States to the date of return thereto: *Provided further*, That the money hereby appropriated for such of said clerks at \$1,200 and \$1,000 each per annum, and such of said messengers at \$720 each per annum as may be employed and assigned by the Secretary of War to the headquarters of the Philippine Department, districts and posts therein, may, in case of vacancy and in the discretion of the commanding general, Philippine Department, be expended, in whole or in part, for the employment of Filipinos as clerks at not to exceed \$500 each per annum, and messengers at not to exceed \$300 each per annum.

And said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve: *Provided*, That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty with any bureau in the War Department. *Id.*

362c. *Headquarters clerks to be known as Army field clerks; rates of pay for; subject to articles of war.*—Hereafter headquarters clerks shall be known as Army field clerks and shall receive pay at the rates herein provided, and after twelve years of service, at least three years of which shall have been on detached duty away from permanent station, or on duty beyond the continental limits of the United States, or both, shall receive the same allowances,¹ except retirement,

¹ The question was presented whether Army field clerks and field clerks, Quartermaster Corps, were entitled to heat and light allowances in public quarters which they are authorized to occupy. Such clerks who have had the requisite service prescribed in the act of August 29, 1916, creating those positions are by the statute given "the same allowances, except retirement, as heretofore allowed by law to pay clerks, Quartermaster Corps."

Held, that it having been definitely determined that no provision was made by law for furnishing pay clerks with fuel and light at public expense in public quarters (Buls. of 1915; No. 5, p. 5, and No. 21, p. 7), it follows that the field

as heretofore allowed by law to pay clerks, Quartermaster Corps, and shall be subject to the rules and articles of war. *Act of Aug. 29, 1916 (39 Stat., 625).*

clerks are not entitled to such allowances. As in the case of pay clerks, Congress had made specific provision for *commutation* of heat and light, but no provision has been made for furnishing these allowances in kind. (War Dept. Bull. 15, Mar. 24, 1917.)

Held, that under the provisions of the statute providing for 200 Army field clerks a selection was necessary, and the statute was not, therefore, self-executing; consequently such clerks were entitled to the allowances therein provided for only from the date of their acceptance of appointment as field clerks and not from the date of the act, August 29, 1916. (Comp. of the Treas., Jan. 26, 1917; *Id.*)

The question was submitted to the Commissioner of Pensions whether the acceptance of the position of field clerk (act of Aug. 29, 1916, 39 Stat., 625) by a civil-service clerk receiving a pension would operate to cut off his pension in view of the War Department's ruling that field clerks are part of the Military Establishment and not subject to the civil-service rules and regulations.

Held, that since the appointment of such clerks is vested in the Secretary of War, they must be deemed as officers, and whether they be designated in military parlance as commissioned officers or noncommissioned officers is immaterial so far as the pension laws are concerned, the established rule being that one who serves under a commission or appointment from the Secretary of War is a person in the military service for pensionable purposes (Stout case, 19 P. D., 149); and that, therefore, under section 4724, Revised Statutes, and the act of March 3, 1891 (26 Stat., 1082), no pension can lawfully be paid to a person holding the position of field clerk covering the period of such service. *Advised*, however, that this ruling is subject to approval or modification of the Secretary of the Interior upon the appeal of any pensioner from the action of the Pension Bureau in dropping his name from the pension roll, because of his appointment and service as a field clerk under the act of August 29, 1916. (Commissioner of Pensions, Apr. 11, 1917, War Dept. Bull. 26, May 7, 1917.)

Upon inquiry (a) whether Army field clerks and field clerks, Quartermaster Corps, are exempt from militia duty, and (b) whether their enlistment in the National Guard is prohibited—

Held, as to (a), that since Army field clerks and field clerks, Quartermaster Corps, now occupy a status in the military service of the United States, they come within the provisions of section 59 of the national defense act which exempts "persons in the military and naval service of the United States," from militia duty, and therefore are exempted from such duty.

Held, as to (b), that the National Guard is plainly designed by the national defense act to be an effective force and to supplement the permanent military forces of the Nation, and that it is plainly the intent of the law governing its organization that its members shall be available for any service which it may be called upon to perform, and not be prevented from performing such duty by any paramount obligation in the permanent military force. This intent is clearly indicated by the exemption of persons in the military and naval service of the United States from militia duty, above cited. That special authority of law is necessary to justify the occupancy of status in both the Regular Army and the National Guard by the same person is indicated by the authority expressly conferred by section 100 of the national defense act for officers of the Regular Army to accept commissions in the National Guard with the permission of the President and terminable at his discretion. There is no such authority for any persons in the active military service of the United States, other than officers, to occupy such dual status. Therefore, the effect of the law governing the organization and maintenance of the National Guard is to render a status in the active permanent Military Establishment incompatible with a status in the National Guard. The enlistment of Army field clerks and field clerks, Quartermaster Corps, is therefore, in effect, prohibited by law. (War Dept. Bull. 34, June 8, 1917.)

An Army field clerk inquired whether he was entitled to credit for prior service as clerk in the Quartermaster Corps and in the Signal Corps for the purpose of making up 12 years of service under the act of August 29, 1916, which changed headquarters' clerks to Army field clerks, and provides that

362d. *Same—Employed and assigned by Secretary of War; not to be assigned to duty in War Department.*—Said clerks, messengers, and laborers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve: *Provided*, That no clerk, messenger, or laborer at headquarters of tactical divisions, military departments, brigades, service schools, and office of the Chief of Staff shall be assigned to duty in any bureau in the War Department. *Id.*, 636.

“after 12 years’ service,” as therein prescribed, they shall receive the same allowances, except retirement, “as heretofore allowed by law to pay clerks, Quartermaster Corps.”

Held, that as the governing statute relates only to headquarters clerks changed to Army field clerks, and there is nothing in it to suggest a different purpose, it must be held that the phrase “after 12 years’ service” refers only to service as headquarters clerk or as Army field clerk; and that in the instant case the field clerk was not entitled to count his prior service as clerk in the Quartermaster Corps and Signal Corps. (War Dept. Bull. 54, Sept. 26, 1917.)

Under the Army appropriation act of August 29, 1916, Army field clerks after 12 years’ service, 3 years of which shall have been on detached duty away from permanent station or on duty beyond the continental limits of the United States, or both, are entitled to certain allowances. In computing the 12 years’ service, service as an enlisted man can not be counted. Service as headquarters clerk prior to the passage of the act and as an Army field clerk thereafter should be counted. (War Dept. Bull. 72, Dec. 24, 1917.)

Army field clerks are classified as enlisted men in the War Risk Insurance act of October 6, 1917, and are therefore required to make compulsory allotments. (Dig. Opn. J. A. G., January, 1918.)

CHAPTER XIII.

THE GENERAL STAFF CORPS.

	Par.		Par.
Details of officers, except general officers, to be made on recommendation of board of officers-----	365a	Same—Suspension of operation of inhibition during existing emergency-----	369a $\frac{1}{2}$
Promotion of officer while serving detail in General Staff Corps or other staff departments, status of-----	365b	Employment restricted to study of military problems, etc-----	369b
General Staff Corps, composition of-----	366a	Same—Supervision over War College, details and assignments to duty in-----	369c
Same—Tour of detail in-----	366b	Chief of Coast Artillery to be additional member of; certain organizations in office of Chief of Staff abolished and their duties transferred to other bureaus-----	370a
Same—Temporary assignment to duty with any branch of Army-----	366c	Duties limited to those specified in organic Act and in this section-----	370b
Same—Redetails limited-----	366d	Penalty imposed upon superior for permitting subordinate to violate provisions of this section-----	370c
Same—Filling vacancies made by details-----	366e		
Same—Composition of during existing war-----	366f		
Same—Assignment to duty in the District of Columbia-----	369a		

365a. *Details of officers, except general officers, to be made on recommendation of board of officers.*—No officer shall be detailed as a member of the General Staff Corps, other than the Chief of Staff and the general officers herein provided for as assistants to the Chief of Staff, except upon the recommendation of a board of five officers not below the rank of colonel, who shall be selected by the President or the Secretary of War, and neither the Chief of Staff nor more than two other members of the General Staff Corps, nor any officer not a member of said corps, who shall have been stationed or employed on any duty in or near the District of Columbia within one year prior to the date of convening of any such board, shall be detailed as a member thereof. No recommendation made by any such board shall, for more than one year after the making of such recommendation or at any time after the convening of another such board, unless again recommended by the new board, be valid as a

basis for the detail of any officer as a member of the General Staff Corps; and no alteration whatever shall be made in any report or recommendation of any such board, either with or without the consent of members thereof, after the board shall have submitted such report or recommendation and shall have adjourned sine die.¹ *Sec. 5, act of June 3, 1916 (39 Stat. 168).*

(See paragraphs 366a-366e, 369a, 369b for the provisions of this section preceding this paragraph.)

365b. *Promotion of officer while serving detail in General Staff Corps or other staff departments, status of.*—If any officer detailed in the General Staff Corps, or as an officer of any staff corps or department of the Army, shall be promoted to the next higher grade while so serving he may be permitted to serve out the period of his detail, and the number of officers in the organization in which he shall be serving and in the grade to which he shall have been promoted shall be increased by one for such time as he shall be an additional number in said organization and grade; but the whole number of officers detailed to said organization shall at no time exceed the aggregate of the numbers allowed to the several grades thereof by law other than this proviso. *Id. 169.*

(See paragraphs 366a-366e, 369a, 365a, 365b, 370a, 370b, and 370c for the provisions of sec. 5 preceding this paragraph.)

366a. *General Staff Corps, composition of.*—The General Staff Corps shall consist of one Chief of Staff, detailed in time of peace from major generals of the line; two assistants to the Chief of Staff, who shall be general officers of the line, one of whom, not above the grade of brigadier general, shall be the president of the Army War College; ten colonels; ten lieutenant colonels; fifteen majors; and seventeen captains, to be detailed from corresponding grades in the Army, as in this section hereinafter provided. *Id. 167.*

(For provision in sec. 3, act of October 6, 1917, giving the Chief of Staff the rank of general during the existing emergency, and fixing his pay and allowances, see paragraphs 350d and 350e, ante.)

366b. *Same—Tour of detail in.*—All officers detailed in the General Staff Corps shall be detailed therein for periods of four years, unless sooner relieved. *Id.*

366c. *Same—Temporary assignment to duty with any branch of Army.*—While serving in the General Staff Corps officers may be temporarily assigned to duty with any branch of the Army. *Id.*

366d. *Same—Redetails limited.*—Upon being relieved from duty in the General Staff Corps officers shall return to the branch of the Army in which they hold permanent commissions, and no officer

¹*Held*, that the service of officers on a board sitting in the District of Columbia which was found after the completion of its report to be illegal was not service in the District within the prohibition of the Act, and that they were not therefore by reason of such service ineligible for service on a new board. (War Dept. Bull. 18, July 8, 1916.)

shall be eligible to a further detail in the General Staff Corps until he shall have served two years with the branch of the Army in which commissioned, except in time of actual or threatened hostilities. *Id.*

366e. *Same—Filling vacancies made by details.*—Section twenty-seven¹ of the Act of Congress approved February second, nineteen hundred and one, shall apply to each position vacated by officers below the grade of general officer detailed in the General Staff Corps. *Id.* 167.

366f. *Same—Composition of during existing war.*—The General Staff Corps shall consist of one Chief of Staff, who shall be a general officer of the line and who shall take rank and precedence over all other officers of the Army; two assistants to the Chief of Staff,² who shall be general officers of the line, one of whom shall be the president of the Army War College; ten colonels; twelve lieutenant colonels; thirty-two majors; and thirty-four captains, to be detailed from corresponding grades in the Army as in this section hereinafter provided. All officers detailed in the General Staff Corps shall be detailed therein for a period of four years, unless sooner relieved. While serving in the General Staff Corps, officers may be temporarily assigned to duty with any branch of the Army. Upon being relieved from duty in the General Staff Corps, officers shall return to the branch of the Army in which they hold permanent commissions, and no officer shall be eligible to a further detail in the General Staff Corps until he shall have served two years with the branch of the Army in which commissioned, except in time of actual or threatened hostilities. Section twenty-seven of the Act of Congress approved February second, nineteen hundred and one, shall apply to each position vacated by officers below the grade of general officer detailed in the General Staff Corps. *Act of May 12, 1917 (40 Stat. 46), amending Sec. 5, Act of June 3, 1916 (39 Stat. 169).*

(See paragraphs 366a-366e, Ante.)

369a. *Same—Assignment to duty in the District of Columbia.*—Not more than one-half of all of the officers detailed in said corps shall at any time be stationed, or assigned to or employed upon any duty, in or near the District of Columbia.³ *Sec. 5, act of June 3, 1916 (39 Stat. 167).*

¹ See paragraph 383, ante, or 31 Stat. 755.

² For provision in section 3, act of October 6, 1917, giving the Chief of Staff the rank of general during the existing emergency, and fixing his pay and allowances, see paragraphs 350d and 350e, ante.

³ *Held*, that as the law requires assignment of the officers, upon the approval of the Act, to some other station than one in or near the District of Columbia they could not retain station in Washington for any purpose; and that if not assigned to some other station than the one to which they are temporarily assigned for duty their right to receive commutation of quarters, heat, and light

369a $\frac{1}{2}$. *Same—Suspension of operation of inhibition during existing emergency.*—The following language of section five of the Act of June third, nineteen hundred and sixteen, entitled "An Act for making further and more effectual provision for the national defense, and for other purposes," to wit: "Not more than one-half of all of the officers detailed in said corps shall at any time be stationed, or assigned to or employed upon any duty, in or near the District of Columbia," be amended so as to authorize the President to suspend the operation of the same during the existing emergency. *Act of May 12, 1917 (40 Stat. 73), amending Sec. 5, Act of June 3, 1916 (39 Stat. 167).*

369b. *Employment restricted to study of military problems, etc.*—All officers detailed in said corps shall be exclusively employed in the study of military problems, the preparation of plans for the national defense and the utilization of the military forces in time of war, in investigating and reporting upon the efficiency and state of preparedness of such forces for service in peace or war, or an appropriate General Staff duties in connection with troops, including the National Guard, or as military attachés in foreign countries, or on other duties, not of an administrative nature, on which they can be lawfully and properly employed. *Sec. 5, act of June 3, 1916 (39 Stat. 167).*

(See paragraphs 366a-366e for the provisions of section 5 preceeding this paragraph.)

369c. *Same—Supervision over War College; details and assignments to duty in.*—The War College shall remain fully subject to the supervising, coordinating, and informing powers conferred by law upon members of the General Staff Corps, and officers for duty as instructors or students in or as attachés of said collage may be selected and detailed freely from among members of said corps, but any officer so selected and detailed other than one director shall thereupon cease to be a member of said corps and shall not be eligible for redetail therein so long as he shall remain on said duty; and no officer on the active list of the Army shall, for more than thirty days in any calendar year, be attached to or assigned to duty in the War College in any capacity other than that of president, director, instructor, or student, or, unless a member of the General Staff Corps, be attached to or employed in the office of the Chief of Staff. *Id. 168.*

(See paragraph 365a for provision of section 5 preceeding this paragraph.)

370a. *Chief of Coast Artillery to be additional member of; certain organizations in office of Chief of Staff abolished and their duties*

must depend on such temporary assignment. (War Dept. Bull. 18, July 8, 1916.)

Held, that general officers detailed to the General Staff Corps must be regarded as part of the one-half of the officers of the corps permitted to be assigned to or employed on duty in or near the District of Columbia. (War Dept. Bull. 28, Aug. 18, 1916.)

transferred to other bureaus.—The organizations heretofore existing in or in connection with the office of the Chief of Staff under the designations of the mobile army division and the Coast Artillery division be, and they are hereby, abolished and shall not be reestablished. The business heretofore transacted in said division, except such as comes clearly within the general powers specified in and conferred upon members of the General Staff Corps by the organic Act of Congress approved February fourteenth, nineteen hundred and three,¹ is hereby transferred as follows, to wit, to the office of the Chief of Coast Artillery, all business apportioned to that office by law or Army regulations at the time of the creation of the Coast Artillery division of the office of the Chief of Staff; to the office of The Adjutant General or other bureau or bureaus concerned, all other business; and, subject to the exercise of the supervising, coordinating, and informing powers conferred upon members of the General Staff Corps by the Act of Congress last hereinbefore cited, the business transferred by this proviso to certain bureaus or offices shall hereafter be transacted exclusively by or under the direction of the respective heads thereof; and the Chief of Coast Artillery shall be an additional member of the General Staff Corps and shall also be advisor to and informant of the Chief of Staff in respect to the business under his charge. *Id.*

(See paragraph 369b for provision of section 5 preceding this paragraph.)

370b. Duties limited to those specified in organic Act and in this section.—Hereafter members of the General Staff Corps shall be confined strictly to the discharge of the duties of the general nature of those specified for them in this section and in the organic Act of Congress last hereinbefore cited, and they shall not be permitted to assume or engage in work of an administrative nature that pertains to established bureaus or offices of the War Department, or that, being assumed or engaged in by members of the General Staff Corps, would involve impairment of the responsibility or initiative of such bureaus or offices, or would cause injurious or unnecessary duplication of or delay in the work thereof. *Id.*

370c. Penalty imposed upon superior for permitting subordinate to violate provisions of this section.—All pay and allowances shall be forfeited by any superior for any period during which, by his order or his permission, or by reason of his neglect, any subordinate shall violate any of the foregoing provisions of this section. *Id.* 169.

¹ See paragraph 368 ante, or 32 Stat. 831.

CHAPTER XIV.

THE STAFF DEPARTMENTS—GENERAL PROVISIONS— DISBURSING OFFICERS.

	Par.		Par.
Rank, pay, and allowances of chiefs of staff corps, departments, or bureaus-----	373a	Advance payments to contractors for supplies by Secretaries of War and Navy-----	407a
Bonds may be waived in cases of officers of Quartermaster Corps who are not accountable for public funds or property -----	387a	Same—Security from contractors -----	407b
		Funds for stores or material procured by one bureau of War Department for another, etc., repayment of-----	417a

373a. *Rank, pay, and allowances of chiefs of staff corps, departments, or bureaus.*—Hereafter, the chief of any existing staff corps, department, or bureau, except as is otherwise provided for the Chief of Staff, shall have the rank, pay, and allowances of major general. *Sec. 3, Act of Oct. 6, 1917 (40 Stat. 411).*

(For the preceding provisions of this section see paragraphs 250d, 250e, and 352a, ante.)

387a. *Bonds may be waived in cases of officers of Quartermaster Corps who are not accountable for public funds or property.*—Hereafter the provisions of section eleven hundred and ninety-one of the Revised Statutes of the United States may, in the discretion of the Secretary of War, be waived in the cases of officers of the Quartermaster Corps who are not accountable for public funds or public property. *Act of Aug. 29, 1916 (39 Stat. 626).*

407a. *Advance payments to contractors for supplies by Secretaries of War and Navy.*—The Secretary of War and the Secretary of the Navy are authorized, during the period of the existing emergency, from appropriations available therefor to advance payments to contractors for supplies for their respective departments in amounts not exceeding thirty per centum of the contract price of such supplies. *Sec. 5, Act of Oct. 6, 1917 (40 Stat. 383).*

407b. *Same—Security from contractors.*—Such advances shall be made upon such terms as the Secretary of War and the Secretary of the Navy, respectively, shall prescribe and they shall require adequate

security for the protection of the Government for the payments so made. *Id.*

417a. *Funds for stores or material procured by one bureau of War Department for another, etc., repayment of.*—Hereafter when one bureau of the War or Navy Departments procures by purchase or manufacture stores or material of any kind or performs any service for another bureau of such departments the funds of the bureau or department for which the stores or material are to be procured or the service performed may be placed subject to the requisition of the bureau or department making the procurement or performing the service for direct expenditure by it: *Provided*, That when the stores being procured are for current issue during the year stores of equal value may be issued from stock on hand in place of any of those aforesaid.¹ *Act of Mar. 4, 1915 (38 Stat. 1084).*

¹There is no general statute governing the transfer or sale of Government property from one department to another. However, see pars. 619 and 671, Army Regulations, 1913, covering the transfer of War Department property, and page 907, Dig. Opin. J. A. G., 1912, and 17 Opin. Att. Gen., 480, to the effect that "the transfer of public property from one bureau or department to another is not regarded as a sale."

CHAPTER XV.

THE ADJUTANT GENERAL'S DEPARTMENT.¹

	Par.		Par.
Adjutant General's Department, composition of -----	431a	Decision of War Department as to date of muster conclusive--	455a

431a. *Adjutant General's Department, composition of.*—The Adjutant General's Department shall consist of The Adjutant General with the rank of brigadier general; seven adjutants general with the rank of colonel; thirteen adjutants general with the rank of lieutenant colonel; and thirty adjutants general with the rank of major. *Sec. 6, Act of June 3, 1916 (39 Stat. 169).*

(For provision in sec. 3, act of October 6, 1917, giving The Adjutant General the rank, pay, and allowances of major general, see paragraph 373a, ante.)

455a. *Decision of War Department as to date of muster conclusive.*—Hereafter in administering the Act of Congress approved February twenty-fourth, eighteen hundred and ninety-seven, entitled "An Act to provide for the relief of certain officers and enlisted men of the volunteer forces," the decision of the War Department as to the right of any person to be held and considered to have been mustered into the service of the United States under the provisions of said Act shall be conclusive, and no claims shall be allowed or considered under said Act after the first day of January, nineteen hundred and eleven. *Act of Apr. 19, 1910 (36 Stat. 324).*

¹ For the statutes relating to the United States Disciplinary Barracks, the government and control of which was vested in The Adjutant General by par. 2, sec. 3, act of Mar. 4, 1915 (38 Stat. 1085), see pars. 475a-488b, post.

CHAPTER XVI.

THE INSPECTOR GENERAL'S DEPARTMENT.

	Par.		Par.
Inspector General's Department, composition of.....	459a	Detail of acting inspector gen- eral.....	459b

459a. *Inspector General's Department, composition of.*—The Inspector General's Department shall consist of one Inspector General with the rank of brigadier general; four inspectors general with the rank of colonel; eight inspectors general with the rank of lieutenant colonel; and sixteen inspectors general with the rank of major.¹ *Sec. 7, Act of June 3, 1916 (39 Stat. 169).*

(For provision in section 3, act of October 6, 1917, giving the Inspector General the rank, pay, and allowances of major general, see paragraph 373a, ante.)

459b. *Detail of acting inspectors general.*—The Secretary of War may, in addition, detail officers of the line, not to exceed four, to act as assistant inspector-general: *Provided*, That officers of the line detailed as acting inspectors general shall have all the allowances of Cavalry officers of their respective grades. *Sec. 1, Act of June 23, 1874 (18 Stat. 244).*

¹ *Held*, That this provision does not repeal the authority contained in the act of June 23, 1874 (18 Stat. 244) to "detail officers of the line, not to exceed four, to act as assistant inspectors general" with pay and allowances as prescribed, which has been regarded by the department as permanent legislation and as not having been repealed by provisions similar to the above section 7 contained in the acts of February 5, 1885 (23 Stat. 297), March 2, 1899 (31 Stat. 701), and February 2, 1901 (31 Stat. 751). (War Dept. Bull. 18, July 8, 1916.)

There is but one Army of the United States, and every organization, bureau, officer, and man in the military service is part of it. The Inspector General's Department, as well as all other staff corps and departments, are to be reorganized out of the Army at large so that such departments may properly perform their ever-increasing functions. The primary authority for providing the necessary staff officers in the increased establishment is not to be found in the use of reserve officers as such, but in the power to appoint necessary officers under the National Army act. (War Dept. Bull. 67, Nov. 30, 1917.)

CHAPTER XVII.

THE JUDGE ADVOCATE GENERAL'S DEPARTMENT— MILITARY PRISON.

	Par.		Par.
Judge Advocate General's Department, composition of.....	465a	Military Prison, United States, name changed to United States Disciplinary Barracks.....	475b
Promotions below rank of colonel based on written examinations.....	467a	Same—Military offenses punishable in a penitentiary, confinement may be in United States, State, Territory, or District penitentiary.....	475c
Same—Officers in grade of major found physically or mentally disqualified, board of review, etc.....	467b	Same—Secretary of War may designate branch disciplinary barracks.....	476a
Same—Lieutenant colonels found disqualified, suspension from promotion and retirement with or without promotion after final examination.....	467c	Same—Government and control of disciplinary barracks vested in The Adjutant General.....	477a
Vacancies, one to be filled by person from civil life with special qualifications.....	468a	Same—Commandant and other commissioned and noncommissioned officers, etc., at, composition of.....	480a
Acting judge advocates, assignment of.....	469a	Same—Duties of the commandant.....	481a
Details of acting judge advocates only excepted from operation of Manchu law; details for purpose of taking law course prohibited.....	469b	Same—Organization of disciplinary companies and higher units, etc.....	481b
Revision and codification of military laws of United States, preparation of.....	471a	Same—Clemency and restoration to colors of persons not discharged and reenlistment of discharged persons.....	488a
Same—Appropriation for expenses of.....	471b	Parole of general prisoners in disciplinary barracks, and restoration to duty of those serving confinement in places other than disciplinary barracks.....	488b
United States Disciplinary Barracks.....	475a-488b		
Military Prison, United States and branches, name changed to United States Disciplinary Barracks.....	475a		

465a. *Judge Advocate General's Department, composition of.*—The Judge Advocate General's Department shall consist of one Judge Advocate General with the rank of brigadier general; four judge advocates with the rank of colonel; seven judge advocates with the

rank of lieutenant colonel; and twenty judge advocates with the rank of major. *Sec. 8, Act of June 3, 1916 (39 Stat. 169).*

(For provision in section 3, act of October 6, 1917, giving the Judge-Advocate General the rank, pay, and allowances of major general, see paragraph 373a, ante.)

467a. *Promotions below rank of colonel based on written examinations.*—No officer of the Judge Advocate General's Department below the rank of colonel shall be promoted therein until he shall have successfully passed a written examination before a board consisting of not less than two officers of the Judge Advocate General Department, to be designated by the Secretary of War, such examination to be prescribed by the Secretary of War and to be held at such time anterior to the accruing of the right to promotion as may be for the best interests of the service. *Id.*

(For the provisions of this section which precede this paragraph, see paragraphs 465a, 468a, 469a, and 469b.)

467b. *Same—Officers in grade of major found physically or mentally disqualified, board of review, etc.*—Should any officer in the grade of major of the Judge Advocate General's Department fail in his physical examination and be found incapacitated for service by reason of physical disability contracted in the line of duty, he shall be retired with the rank to which his seniority entitled him to be promoted; but if he should be found disqualified for promotion for any other reason, a second examination shall not be allowed, but the Secretary of War shall appoint a board of review to consist of two officers of the Judge Advocate General's Department superior in rank to the officer examined, none of whom shall have served as a member of the board which examined him. If the unfavorable finding of the examining board is concurred in by the board of review, the officer reported disqualified for promotion shall be honorably discharged from the service with one year's pay. If the action of the examining board is disapproved by the board of review, the officer shall be considered qualified and shall be promoted. *Id. 170.*

467c. *Same—Lieutenant colonels found disqualified, suspension from promotion and retirement with or without promotion after final examination.*—Any lieutenant colonel of the Judge Advocate General's Department, who, at his first examination for promotion to the grade of colonel, has been found disqualified for such promotion for any reason other than physical disability incurred in the line of duty shall be suspended from promotion and his right thereto shall pass successively to such officers next below him in rank as are or may become eligible to promotion under existing law during the period of his suspension; and any such officer suspended from promotion shall be reexamined as soon as practicable after the expiration of one year from the date of the completion of the examination that

resulted in his suspension; and if on such reexamination he is found qualified for promotion, he shall again become eligible thereto; but if he is found disqualified by reason of physical disability incurred in line of duty in either examination, he shall be retired, with the rank to which his seniority entitled him to be promoted; and if he is not found disqualified by reason of such physical disability, but is found disqualified for promotion for any other reason in the second examination, he shall be retired without promotion. *Id.*

468a. *Vacancies, one to be filled by person from civil life with special qualifications.*—Of the vacancies created in the Judge Advocate General's Department by this Act, one such vacancy, not below the grade of major, shall be filled by the appointment of a person from civil life, not less than forty-five nor more than fifty years of age, who shall have been for ten years a judge of the Supreme Court of the Philippine Islands, shall have served for two years as a captain in the Regular or Volunteer Army, and shall be proficient in the Spanish language and laws. *Id.*

(For the provision of this section which immediately precedes this paragraph see paragraph 469a.)

469a. *Acting judge advocates, assignment of.*—Acting judge advocates may be detailed under the provisions of existing law for separate brigades and for separate general court-martial jurisdictions, and when not immediately required for service with a geographical department, tactical division, separate brigade, or other separate general court-martial jurisdiction, acting judge advocates may be assigned to such other legal duty as the exigencies of the service may require. *Id.*

(For the provision of this section which immediately precedes this paragraph see paragraph 465a.)

469b. *Details of acting judge advocates only excepted from operation of Manchu law; details for purpose of taking law course prohibited.*—So much of the Act of Congress approved August twenty-fourth, nineteen hundred and twelve,¹ as relates to the detachment or detail of officers for duty in the Judge Advocate General's Department shall hereafter be held to apply only to the acting judge advocates authorized by law; and hereafter no officer shall be or remain detached from any command or assigned to any duty or station with intent to enable or aid him to pursue the study of law. *Id.*

(For the provision of this section immediately preceding this paragraph see paragraph 468a.)

471a. *Revision and codification of military laws of United States, preparation of.*—The Secretary of War is hereby directed to cause to

¹ Manchu law, par. 937, ante, or 37 Stat., 571, 645.

be prepared, with as much expedition as may be consistent with thoroughness, to be finished within two years, a revision and codification of the military laws of the United States, which shall conform in scope and character to the revision and codification of the laws of the United States of a permanent and general nature directed by the Act of March third, nineteen hundred and one. The Secretary of War shall submit to Congress a report of progress of the revision and codification herein directed upon the first day of the second session of the Sixty-fourth Congress, and, when the revision and codification is completed, he shall cause a copy of the same, in print, to be submitted to Congress, that the statutes so revised and codified may be reenacted if Congress shall so determine. *Act of Aug. 29, 1916 (39 Stat. 627)*.

471b. Same—Appropriation for expenses of.—For paying the expenses of clerical hire and printing and other expenses incident to the making of the revision and codification herein directed, not to exceed \$5,000, to be expended upon certificates of the Secretary of War that the expenditures were necessary therefor. *Id.*

UNITED STATES DISCIPLINARY BARRACKS.

475a. Military prison, United States and branches, name changed to United States Disciplinary Barracks.—The United States military prison at Fort Leavenworth, Kansas, shall hereafter be known as the United States Disciplinary Barracks and the branches of said prison as branches of such barracks. *Act of Mar. 4, 1915 (38 Stat. 1074)*.

475b. Military prison, United States, name changed to United States Disciplinary Barracks.—Chapter six, Title XIV, of the Revised Statutes of the United States be, and the same is hereby, amended to read as follows:

The United States Military Prison, Fort Leavenworth, Kansas, shall hereafter be known as the United States Disciplinary Barracks. *Par. 1, sec. 2, act of Mar. 4, 1915 (38 Stat. 1084)*.

475c. Same—Military offenses punishable in a penitentiary, confinement may be in United States, State, Territory, or District penitentiary.—Persons sentenced to confinement upon conviction by courts-martial or other military tribunals of crimes or offenses which, under some statute of the United States or under some law of the State, Territory, District, or other jurisdiction in which the crime or offense may be committed, are punishable by confinement in a penitentiary, including persons sentenced to confinement upon conviction by courts-martial or other military tribunals of two or more acts or omissions, any one of which, under the statute or other law hereinbefore mentioned, constitutes or includes a crime or offense punish-

able by confinement in a penitentiary, may be confined at hard labor, during the entire period of confinement so adjudged, in any United States, State, Territorial, or District penitentiary, or in any other penitentiary directly or indirectly under the jurisdiction of the United States; and all persons sentenced to confinement upon conviction by courts-martial or other military tribunals who are not confined in a penitentiary may be confined and detained in the United States Disciplinary Barracks. *Par. 2, sec. 2, id.*

476a. Same—Secretary of War may designate branch disciplinary barracks.—The Secretary of War may, from time to time, designate any building or structure or any part thereof under the control of the Secretary of War and pertaining to the military establishment as a branch disciplinary barracks for the confinement and detention of offenders whom it is impracticable to send to the United States Disciplinary Barracks at Fort Leavenworth, Kansas; and all branch disciplinary barracks and all offenders sent thereto for confinement and detention therein shall be subject to the laws respecting the United States Disciplinary Barracks at Fort Leavenworth, Kansas, and the offenders sent thereto for confinement and detention therein. *Par. 8, sec. 2, id. 1086.*

477a. Same—Government and control of disciplinary barracks vested in The Adjutant General.—The government and control of the United States Disciplinary Barracks and of all offenders sent thereto for confinement and detention therein shall be vested in The Adjutant General of the Army under the direction of the Secretary of War, who shall from time to time make such regulations respecting the same as may be deemed necessary, and who shall submit annually to Congress a full statement of the financial and other affairs of said institution for the preceding fiscal year. *Par. 3, sec. 2, id. 1085.*

480a. Same—Commandant and other commissioned and noncommissioned officers, etc., at, composition of.—The officers of the United States Disciplinary Barracks shall consist of a commandant and such subordinate officers as may be necessary, who shall be detailed by the Secretary of War from the commissioned officers of the Army at large. In addition to detailing for duty at said disciplinary barracks such number of enlisted men of the Staff Corps and departments as he may deem necessary, the Secretary of War shall assign a sufficient number of enlisted men of the line of the Army for duty as guards at said disciplinary barracks and as noncommissioned officers of the disciplinary organizations hereinafter authorized. Said guards, and also the enlisted men assigned for duty as noncommissioned officers of disciplinary organizations, shall be detached from the line of the Army, or enlisted for the purpose; and said guards shall be organized as infantry, with noncommissioned officers, musicians, artificers, and cooks of the number and grades allowed by law

for infantry organizations of like strength: *Provided*, That at least one of said guards shall have the rank, pay, and allowances of a battalion sergeant major. *Par. 4, sec. 2, id.*

(For authorization for the detail of 100 sergeants for duty with the disciplinary organizations at the United States Disciplinary Barracks, who shall be additional to the sergeants authorized for the corps, companies, troops, batteries, and detachments from which they may be detailed, see par. 1332a.)

481a. Same—Duties of the commandant.—The commandant of the United States Disciplinary Barracks shall have command thereof and charge and custody of all offenders sent thereto for confinement and detention therein; shall govern such offenders and cause them to be employed at such labor and in such trades and to perform such duties as may be deemed best for their health and reformation and with a view to their honorable restoration to duty or their reenlistment as hereinafter authorized; shall cause note to be taken and a record to be made of the conduct of such offenders; and may shorten the daily time of hard labor of those who by their obedience, honesty, industry, and general good conduct earn such favors—all under such regulations as the Secretary of War may from time to time prescribe. *Par. 5, sec. 2, id.*

481b. Same—Organization of disciplinary companies and higher units, etc.—The Secretary of War shall provide for placing under military training those offenders sent to the United States Disciplinary Barracks for confinement and detention therein whose record and conduct are such as to warrant the belief that upon the completion of a course of military training they may be worthy of an honorable restoration to duty or of being permitted to reenlist; may provide for the organization of offenders so placed under military training into disciplinary companies and higher units, organized as infantry, with noncommissioned officers, except color sergeants, selected or appointed from the enlisted men assigned to duty for that purpose pursuant to the provisions of paragraph four hereof; and may provide for uniforming, arming, and equipping such organizations. *Par. 6, sec. 2, id.*

488a. Same—Clemency and restoration to colors of persons not discharged and reenlistment of discharged persons.—Whenever he shall deem such action merited the Secretary of War may remit the unexecuted portions of the sentences of offenders sent to the United States Disciplinary Barracks for confinement and detention therein and in addition to such remission may grant those who have not been discharged from the Army an honorable restoration to duty, and may authorize the reenlistment of those who have been discharged or upon their written application to that end order their restoration to the Army to complete their respective terms of enlistment, and such application and order of restoration shall be effective to revive

the enlistment contract for a period equal to the one not served under said contract. *Par. 7, sec. 2, id.*

488b. *Parole of general prisoners in disciplinary barracks, and restoration to duty of those serving confinement in places other than disciplinary barracks.*—The authority now vested in the Secretary of War to give an honorable restoration to duty, in case the same is merited, to general prisoners confined in the United States disciplinary barracks and its branches shall be extended so that such restoration may be given to general prisoners confined elsewhere, and the Secretary of War shall be, and he is hereby, authorized to establish a system of parole for prisoners confined in said barracks and its branches, the terms and conditions of such parole to be such as the Secretary of War may prescribe. *Act of Mar. 4, 1915 (38 Stat. 1074).*

CHAPTER XVIII.

THE QUARTERMASTER CORPS.

	Par.		Par.
The Quartermaster Corps, composition of	495a	In time of war possession and control may be taken of transportation systems.....	525b
Disbursement by officers as agents of officers of Quartermaster Corps	499a	Obstructing or retarding, etc., orderly conduct or movement of interstate or foreign commerce, or orderly movement of trains, etc., engaged therein, punishment; employment of armed forces	525c
Chief to be Quartermaster General.....	501a	Provisions relative to decrees of antitrust violations, labor disputes, etc., not repealed.....	525d
Enlisted men, composition of....	506a	Preference or priority of transportation of commodities essential to national defense.....	525e
Enlisted strength, composition of	506b	Same—Directions for	525f
Enlistment of cook instructors with grade of sergeants, first class, Quartermaster Corps....	506c	Same—Offices for persons designated, compensation, etc.....	525g
Grade of military storekeeper revived for appointment of Charles P. Daly.....	513a	Maintenance of agencies at Washington by common carriers	525h
Appointment of quartermaster sergeants in Quartermaster Corps	514a	Duties of common carriers, punishment for failure to perform	525i
Master electricians hereafter to be known as quartermaster sergeants	514b	Rates for transportation of persons and property to be just and reasonable	525j
Duties of officers include construction and repair work....	515a	Exemption from preferential or priority provisions in existing law	525k
Sale of surplus ice, electric current, etc., from Government plants where no competition....	521a	Transfer of vessels, equipment, stations, and personnel of Lighthouse Service to War Department in time of national emergency.....	534a
Same—Disposition of proceeds of such sales.....	521b	Same—Return of, to Lighthouse Service when emergency ceases	534b
Provision giving preference to transportation of troops and material of war amended so as to require prompt delivery in time of peace without regard to any embargo which may have been declared.....	525a		
Transportation in time of war....	525b-525k		

	Par.		Par.
Same—Personnel while under jurisdiction of War Department subject to Articles of War-----	534c	Status and rights of officers of Public Health Service when serving with Coast Guard, Army, or Navy-----	534q
Same—Secretaries of War, Navy, and Commerce to prescribe regulations governing duties of Lighthouse Service in time of war-----	534d	Sale of horses and mules not required for Regular Army or National Guard-----	538a
Shipping Board to have constructed or purchase, lease, or charter vessels suitable for use as Army transports or for other military purposes, etc..	534e	Limit of expenditures on buildings, military posts, etc-----	546a
Vessels of War Department, not needed for military purposes in time of peace, may be transferred to the board permanently or for limited periods-----	534f	Limit of cost of barracks and quarters-----	547a
Cost of ships turned over to Army excepted from appropriation for ships, which is to be reimbursed cost of same---	534g	Hospital buildings, limit of cost for erection of, unless authorized by Congress-----	547b
Coast and Geodetic Survey_	534h-534p	Barracks and quarters, land for cantonments, camp sites, etc--	547c
Transfer of vessels, equipment, stations, and personnel of, to War Department, etc., in time of national emergency-----	534h	Annual estimates for establishment and maintenance of rifle ranges-----	553a
Same—Return of, when emergency ceases-----	534i	Same—Established ranges to be open for use of any branch of military or naval service, and for civilians-----	553b
Same—Personnel subject to articles of war, etc., while under jurisdiction of War Department-----	534j	Same—Detail of officers and noncommissioned officers of Regular Army as instructors at, and issue of arms and ammunition for use of-----	553c
Pay and allowances not to be reduced by transfer, pension for disabilities incurred while under jurisdiction of War Department, etc-----	534k	Annual trophy, medals, and prizes, regulations for, to be prescribed by Secretary of War-----	553d
Same—Examinations for appointment and promotion----	534l	Extra-duty pay, United States disciplinary barracks guard, rates-----	563a
Field officers of; designation, appointment, and pay-----	534m	Extra-duty pay for mess stewards and cooks at recruit depots-----	563b
Relative rank while serving with Army, etc-----	534n	Extra-duty pay, United States disciplinary barracks guard, rates-----	563c
Rate of pay for nonmilitary duty not affected-----	534o	Civilian employees, restrictions on employment-----	570a
Secretaries of War, Navy, and Commerce to prescribe regulations governing duties of, in time of war-----	534p	Proceeds from sale of cuttings of material for clothing, disposition of-----	578a
		Quartermaster property, articles of, may be sold to officers of Navy and Marine Corps---	588a
		Sale of subsistence stores to officers and enlisted men of Navy and Marine Corps-----	588b

	Par.		Par.
Commutation of rations for enlisted men of Army and Militia at national rifle match....	611a	Disbursement of certain appropriations heretofore made which shall constitute one fund	689a
Commutation of rations for cadets, enlisted men, members of Nurse Corps, etc., rates of....	611b	Same	689b
Same—Including Regular Army Reserve and retired enlisted men when ordered to active duty	611c	Disbursements to be made by the Quartermaster Corps	689c
Funds appropriated for support of Army available for purchase of reserve supplies.....	616a	Pay of noncommissioned officers and enlisted men	695a
Appointment of Army pay clerk, with certain service, as first lieutenant, Quartermaster Corps	632a	Increased pay of enlisted men of Army of United States	695b
Certain clerks to be known as field clerks, Quartermaster Corps, to receive allowances of pay clerks, and to be subject to the Articles of War....	633a	Same—Not applicable to continuous-service pay	695c
Allowance of fuel, quarters, and forage	651a	Rates of additional pay for qualifying in marksmanship, etc....	699a
Commutation of quarters to officers, etc., where no public quarters are available.....	668a	Enlisted men prohibited from civil employment	701a
Same—Secretary of War may determine when and where public quarters are not available	668b	Act not to be construed as reducing pay or allowances of any enlisted man	702a
Commutation of quarters, heat, and light for officers, etc....	668c	Detail of enlisted men for recruiting duty	704a
Determination of travel and duty	671a	Temporary sergeants and corporals at recruiting depots....	704b
Officers on duty as observers with foreign armies in field, expenses of	673a	One enlisted man at each recruit depot to have rank, pay, and allowances of a regimental sergeant major	704c
Traveling expenses of officers and enlisted men of foreign armies attached to United States Army during present emergency	673b	Allotments of pay by officers, enlisted men, and certain civilian ployees	711a
Mileage to engineer officers....	675a	Same—Payment to allottees, credits to disbursing officers, liability for erroneous payments	712a
Subsistence expenses of officials—Allowances for, outside of District of Columbia, limited	680a	Allotments and family allowances	712b-712aa
Mileage for officers in Aviation Section, appropriation available for	688a	Article applicable to military and naval forces	712b
Mileage to officers of Ordnance Department, appropriation available for	688b	Allotments, compulsory and voluntary	712c
		Amount of compulsory allotments	712d
		Same—To illegitimate child....	712e
		Same—To divorced wife in addition to allotment to wife or child	712f
		Voluntary allotments, amounts, and regulations for	712g
		Family allowances	712h-712v
		Amount	712h
		Same—Duration of	712i
		Same—Not to begin prior to November 1, 1917	712j

	Par.		Par.
Regulations governing desertion, imprisonment, etc.....	712k	Payments of allotments to Treasury Department for distribution, etc.....	712v
Rates of pay to wife and children, class A.....	712l	Investigations as to allowances and allotments.....	712x
Rates of pay to grandchild, parent, brother, or sister, class B.....	712m	Same—Modification of award where conditions have changed, etc.....	712y
Compulsory allotment prerequisite to payment to members of class A.....	712n	Same—Amount of each monthly allotment or allowance dependent upon existing conditions.....	712z
Amount payable to divorced wife.....	712o	Military and naval family allowance appropriation, payments from.....	712aa
Amount payable to wife living apart under order of court, etc.....	712p	Military and naval pay deposit fund.....	716a
Amount payable to illegitimate child.....	712q	Same—Available for payment of principal and interest, appropriation for interest.....	716b
Conditions prerequisite to payment to members of Class B; amounts.....	712r	Deposit of unallotted pay to credit of enlisted men.....	716c
Same—Exemption from additional allotment under class B as prerequisite may be granted for cause.....	712s	Interest, payment of principal and interest.....	716d
Limitation on amounts payable to members of class B.....	712t	Transportation of change of station allowance of baggage on discharge for disability of enlisted man having 10 years or more of service.....	721a
Same—Amount of allowance and allotment not to exceed amount of contribution to support of.....	712u	Pay and allowances of soldiers sentenced to dishonorable discharge during execution of suspended sentence.....	727a
Apportionment of allotments and family allowances between members of classes A and B..	712v		

495a. *The Quartermaster Corps, composition of.*—The Quartermaster Corps shall consist of one Quartermaster General with the rank of major general; two assistants to the Quartermaster General with the rank of brigadier general; twenty-one colonels; twenty-four lieutenant colonels; sixty-eight majors; one hundred and eighty captains; and the pay clerks now in active service, who shall hereafter have the rank, pay, and allowances of a second lieutenant, and the President is hereby authorized to appoint and commission them, by and with the advice and consent of the Senate, second lieutenants in the Quartermaster Corps, United States Army.¹ *Sec. 9, act of June 3, 1916 (39 Stat. 170).*

¹A second lieutenant, Quartermaster Corps, commissioned from pay clerk under section 9 of the national-defense act, requested that he be transferred to second lieutenant of Infantry.

Held, that under existing laws such transfer is not authorized. (War Dept. Bull. 3, Jan. 19, 1917.)

Held, that the new positions created belong to the Quartermaster Corps as a whole, and the rule prescribed by the act of Aug. 3, 1912 (37 Stat. 591), in connection with the reorganization of that corps, is not applicable, and that the

(See paragraphs 506b, 514b, and 515a for the ensuing provisions of this section.)

499a. Disbursements by officers as agents of officers of Quartermaster Corps.—Hereafter, under such regulations as may be prescribed by the Secretary of War, officers of the Quartermaster Corps accountable for public moneys may intrust such moneys to other officers for the purpose of having them make disbursements as their agents, and the officers to whom the moneys are intrusted, as well as the officers who intrust it to them, shall be held pecuniarily responsible therefor to the United States. *Act of May 12, 1917 (40 Stat. 50).*

501a. Chief to be Quartermaster General.—Hereafter the title of the Chief of the Quartermaster Corps shall be Quartermaster General of the Army. *Act of Apr. 27, 1914 (38 Stat. 356).*

506a. Enlisted men, composition of.—The enlisted force of the Quartermaster Corps shall consist of not to exceed fifteen master electricians, three hundred and eighty sergeants (first class), one thousand two hundred and forty sergeants, six hundred corporals, two thousand nine hundred and twenty privates (first class), seven hundred and fifty privates, and ninety-five cooks, all of whom shall receive the same pay and allowances as enlisted men of corresponding grades in the Signal Corps of the Army, and shall be assigned to such duties pertaining to the Quartermaster Corps as the Secretary of War may prescribe. *Act of Mar. 4, 1915 (38 Stat. 1066).*

506b. Enlisted strength, composition of.—The total enlisted strength of the Quartermaster Corps and the number in each grade shall be limited and fixed from time to time by the President in accordance with the needs of the Army, and shall consist of quartermaster sergeants, senior grade; quartermaster sergeants; sergeants, first class; sergeants; corporals; cooks; privates, first class; and privates. The number in the various grades shall not exceed the following percentages of the total authorized enlisted strength of the Quartermaster Corps, namely: Quartermaster sergeants, senior grade, five-tenths of one per centum; quartermaster sergeants, six per centum; sergeants, first class, two and five-tenths per centum; sergeants, twenty-five per centum; corporals, ten per centum; privates, first class, forty-five per centum; privates, nine per centum; cooks, two per centum. *Sec. 9, act of June 3, 1916 (39 Stat. 170).*

(See paragraph 495a for the preceding provision and paragraphs 514b and 515a for the ensuing provisions of this section.)

506c. Enlistment of cook instructors with grade of sergeants, first-class, Quartermaster Corps.—The Secretary of War is authorized to enlist twelve hundred competent cooks as sergeants, first-class, Quar-

vacancies are required to be filled according to the general rule of seniority prescribed in sec. 1 of the act of Oct. 1, 1890 (26 Stat. 563). (War Dept. Bull. 18, Aug. 18, 1916.)

termaster Corps, for the duration of the war only, to be trained as cook instructors and to be employed as such. *Act of June 15, 1917 (40 Stat. 188).*

513a. *Grade of military storekeeper revived for appointment of Charles P. Daly.*—The President of the United States, in his discretion be, and he is hereby, authorized to appoint Charles P. Daly, chief clerk, office of the Quartermaster Corps, United States Army, a military storekeeper in the Quartermaster Corps, United States Army, with the rank, pay, and allowances of a captain, mounted; and the grade of military storekeeper is hereby revived in the Army of the United States for this purpose only. *Act of Aug. 29, 1916 (39 Stat. 626).*

514a. *Appointment of quartermaster sergeants in Quartermaster Corps.*—Hereafter the Secretary of War is authorized to appoint such number of quartermaster sergeants, Quartermaster Corps, not to exceed the number provided for by law, as he may deem necessary for the interest of the service, said quartermaster sergeants to be selected from the most competent noncommissioned officers of the Army, who shall have served therein at least five years, three years of such service having been rendered as noncommissioned officers, and whose character and education shall fit them to take charge of public property and to act as clerks and assistants to the proper officers of the Army in charge of public property.¹ *Act of Mar. 4, 1915 (38 Stat. 1066).*

514b. *Master electricians hereafter to be known as quartermaster sergeants, senior grade.*—The master electricians now authorized by law for the Quartermaster Corps shall hereafter be known as quartermaster sergeants, senior grade, and shall be included in the number of quartermaster sergeants, senior grade, herein authorized. *Sec. 9, Act of June 3, 1916 (39 Stat. 170).*

(See paragraph 506b for the provision of this section immediately preceding this paragraph.)

515a. *Duties of officers include construction and repair work.*—All work pertaining to construction and repair that has heretofore been done by or under the direction of officers of the Quartermaster Corps shall, except as otherwise now provided by laws or regulations, hereafter be done by or under the direction of officers of said corps. *Id. 171.*

521a. *Sale of surplus ice, electric current, etc., from Government plants where no competition.*—Whenever the ice machines, steam laundries, and electric plants shall not come in competition with

¹ For similar provision see act of Apr. 27, 1914 (39 Stat. 354).

private enterprise for sale to the public, and in the opinion of the Secretary of War it becomes necessary to the economical use and administration of such ice machines, steam laundries, and electric plants as have been or may hereafter be established in pursuance of law, surplus ice may be disposed of, laundry work may be done for other branches of the Government, and surplus electric light and power may be sold on such terms and in accordance with such regulations as may be prescribed by the Secretary of War. *Act of Aug. 29, 1916 (39 Stat. 631).*

(For similar provisions see act of May 12, 1917, 40 Stat. 52.)

521b. *Same—Disposition of proceeds of such sales.*—The funds received from such sales and in payment for such laundry work shall be used to defray the cost of operation of said ice, laundry, and electric plants, and the sales and expenditures herein provided for shall be accounted for in accordance with the methods prescribed by law, and any sums remaining after such cost of maintenance and operation have been defrayed shall be deposited in the Treasury to the credit of the appropriation from which the cost of operation of such plant is paid. *Id., 632.*

(For similar provision see act of May 12, 1917, 40 Stat. 52.)

525a. *Provision giving preference to transportation of troops and material of war amended so as to require prompt delivery in time of peace without regard to any embargo which may have been declared.*—Section six of an Act entitled “An Act to regulate commerce,” approved February fourth, eighteen hundred and eighty-seven, as amended March second, eighteen hundred and eighty-nine, and June twenty-ninth, nineteen hundred and six, which reads:

“That in time of war or threatened war preference and precedence shall, upon demand of the President of the United States, be given over all other traffic for the transportation of troops and material of war, and carriers shall adopt every means within their control to facilitate and expedite the military traffic,” be amended to read as follows:

“That in time of war or threatened war preference and precedence shall, upon demand of the President of the United States, be given over all other traffic for the transportation of troops and material of war, and carriers shall adopt every means within their control to facilitate and expedite the military traffic. And in time of peace shipments consigned to agents of the United States for its use shall be delivered by the carriers as promptly as possible and without regard to any embargo that may have been declared, and no such embargo shall apply to shipments so consigned.” *Id., 604.*

TRANSPORTATION IN TIME OF WAR.

525b. *In time of war possession and control may be taken of transportation systems.*—The President, in time of war, is empowered, through the Secretary of War, to take possession and assume control of any system or systems of transportation, or any part thereof, and to utilize the same, to the exclusion as far as may be necessary of all other traffic thereon, for the transfer or transportation of troops, war material and equipment, or for such other purposes connected with the emergency as may be needful or desirable. *Id.*, 645.

525c. *Obstructing or retarding, etc., orderly conduct or movement of interstate or foreign commerce; or orderly movement of trains, etc., engaged therein, punishment; employment of armed forces.*—On and after the approval of this Act any person or persons who shall, during the war in which the United States is now engaged, knowingly and willfully, by physical force or intimidation by threats of physical force obstruct or retard, or aid in obstructing or retarding, the orderly conduct or movement in the United States of interstate or foreign commerce, or the orderly make-up or movement or disposition of any train, or the movement or disposition of any locomotive, car, or other vehicle on any railroad or elsewhere in the United States engaged in interstate or foreign commerce shall be deemed guilty of a misdemeanor, and for every such offense shall be punishable by a fine of not exceeding \$100 or by imprisonment for not exceeding six months, or by both such fine and imprisonment; and the President of the United States is hereby authorized, whenever in his judgment the public interest requires, to employ the armed forces of the United States to prevent any such obstruction or retardation of the passage of the mail, or of the orderly conduct or movement of interstate or foreign commerce in any part of the United States, or of any train, locomotive, car, or other vehicle upon any railroad or elsewhere in the United States engaged in interstate or foreign commerce. *Act of Aug. 10, 1917 (40 Stat. 272), amending Sec. 1, Act of Feb. 4, 1887, as amended by Act of June 29, 1906 (34 Stat. 589), and Act of Aug. 29, 1916 (39 Stat. 631).*

525d. *Provisions relative to decrees of antitrust violations, labor disputes, etc., not repealed.*—Nothing in this section shall be construed to repeal, modify, or affect either section six or section twenty of an Act entitled ‘An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,’ approved October fifteenth, nineteen hundred and fourteen.¹ *Act of Aug. 10, 1917 (40 Stat. 272).*

525e. *Preference or priority of transportation of commodities essential to national defense.*—During the continuance of the war in

¹38 Stat., 731, 738.

which the United States is now engaged the President is authorized, if he finds it necessary for the national defense and security, to direct that such traffic or such shipments of commodities as, in his judgment, may be essential to the national defense and security shall have preference or priority in transportation by any common carrier by railroad, water, or otherwise. *Id.*

525f. *Same—Directions for.*—He may give these directions at and for such times as he may determine, and may modify, change, suspend, or annul them, and for any such purpose he is hereby authorized to issue orders direct, or through such person or persons as he may designate for the purpose or through the Interstate Commerce Commission. Officials of the United States, when so designated, shall receive no compensation for their services rendered hereunder. *Id.*

525g. *Same—Offices for persons designated, compensation, etc.*—Persons not in the employ of the United States so designated shall receive such compensation as the President may fix. Suitable offices may be rented and all necessary expenses, including compensation of persons so designated shall be paid as directed by the President out of funds which may have been or may be provided to meet expenditures for the national security and defense. *Id.*

525h. *Maintenance of agencies at Washington by common carriers.*—The common carriers subject to the Act to regulate commerce or as many of them as desire so to do are hereby authorized without responsibility or liability on the part of the United States, financial or otherwise, to establish and maintain in the city of Washington during the period of the war an agency empowered by such carriers as join in the arrangement to receive on behalf of them all notice and service of such orders and directions as may be issued in accordance with this Act, and service upon such agency shall be good service as to all the carriers joining in the establishment thereof. *Id.*, 273.

525i. *Duties of common carriers, punishment for failure to perform.*—And it shall be the duty of any and all the officers, agents, or employees of such carriers by railroad or water or otherwise to obey strictly and conform promptly to such orders, and failure knowingly and willfully to comply therewith, or to do or perform whatever is necessary to the prompt execution of such order, shall render such officers, agents, or employees guilty of a misdemeanor, and any such officer, agent, or employee shall, upon conviction, be fined not more than \$5,000, or imprisoned not more than one year, or both, in the discretion of the court. *Id.*

525j. *Rates for transportation of persons and property to be just and reasonable, etc.*—For the transportation of persons or property in carrying out the orders and directions of the President, just and reasonable rates shall be fixed by the Interstate Commerce Commission; and if the transportation be for the Government of the

United States, it shall be paid for currently or monthly by the Secretary of the Treasury out of any funds not otherwise appropriated. *Id.*

525k. *Exemption from preferential or priority provisions in existing law.*—Any carrier complying with any such order or direction for preference or priority herein authorized shall be exempt from any and all provisions in existing law imposing civil or criminal pains, penalties, obligations, or liabilities upon carriers by reason of giving preference or priority in compliance with such order or direction. *Id.*

534a. *Transfer of vessels, equipment, stations, and personnel of Lighthouse Service to War Department in time of national emergency.*—The President is hereby authorized, whenever in his judgment a sufficient national emergency exists, to transfer to the service and jurisdiction of the Navy Department, or of the War Department, such vessels, equipment, stations, and personnel¹ of the Lighthouse Service as he may deem to the best interests of the country, and after such transfer all expenses connected therewith shall be defrayed out of the appropriations for the department to which transfer is made. *Act of Aug. 29, 1916 (39 Stat. 602).*

534b. *Same—Return of to Lighthouse Service when emergency ceases.*—Such vessels, equipment, stations, and personnel shall be returned to the Lighthouse Service when such national emergency ceases in the opinion of the President, and nothing in this Act shall be construed as transferring the Lighthouse Service or any of its functions from the Department of Commerce except in time of national emergency and to the extent herein provided. *Id.*

534c. *Same—Personnel while under jurisdiction of War Department subject to Articles of War.*—Any of the personnel of the Lighthouse Service who may be transferred as herein provided shall, while under the jurisdiction of the Navy Department or War Department, be subject to the laws, regulations, and orders for the government of the Navy or Army, as the case may be, in so far as the same may be applicable to persons whose retention permanently in the military service of the United States is not contemplated by law. *Id.*

534d. *Same—Secretaries of War, Navy, and Commerce to prescribe regulations governing duties of Lighthouse Service in time of war.*—The Secretary of the Navy, the Secretary of War, and the

¹ In case of a transfer of the Lighthouse Service to the War Department in time of national emergency, as provided by the act of Aug. 29, 1916 (39 Stat., 602),

Held, that such employees will retain their civilian status and that the employees' compensation act of Sept. 17, 1916 (39 Stat., 742), will be applicable to them in case of their injury or death in line of duty; and further, that in case of their capture by the enemy, the principles of international law relating to prisoners of war no doubt will apply. (War Dept. Bull. 18, Apr. 6, 1917.)

Secretary of Commerce shall jointly prescribe regulations governing the duties to be performed by the Lighthouse Service in time of war, and for the cooperation of that service with the Navy and War Departments in time of peace in preparation for its duties in war; and this may include arrangements for a direct line of communication between the officers or bureaus of the Navy and War Departments and the Bureau of Lighthouses to provide for immediate action on all communications from these departments. *Id.*

534e. *Shipping Board to have constructed or purchase, lease, or charter vessels suitable for use as Army transports or for other military purposes, etc.*—The board, with the approval of the President, is authorized to have constructed and equipped in American shipyards and navy yards or elsewhere, giving preference, other things being equal, to domestic yards, or to purchase, lease, or charter, vessels suitable, as far as the commercial requirements of the marine trade of the United States may permit, for use as naval auxiliaries or Army transports, or for other naval or military purposes, and to make necessary repairs on and alterations of such vessels. *Sec. 5, act of Sept. 7, 1916 (39 Stat. 730).*

534f. *Vessels of War Department not needed for military purposes in time of peace may be transferred to the board permanently or for limited periods.*—The President may transfer either permanently or for limited periods to the board such vessels belonging to the War or Navy Department as are suitable for commercial uses and not required for military or naval use in time of peace, and cause to be transferred to the board vessels owned by the Panama Railroad Company and not required in its business. *Sec. 6, Id.*

534g. *Cost of ships turned over to Army excepted from appropriation for ships which is to be reimbursed cost of same.*—The cost of purchasing, requisitioning, or otherwise acquiring plants, material, charters, or ships now constructed or in the course of construction and the expediting of construction of ships thus under construction shall not exceed the sum of \$250,000,000, exclusive of the cost of ships turned over to the Army and Navy, the expenditure of which is hereby authorized, and in executing the authority granted by this Act for such purpose the President shall not expend or obligate the United States to expend more than the said sum; and there is hereby appropriated for said purpose, \$150,000,000: *Provided*, That this appropriation shall be reimbursed from available funds under the War and Navy Departments for vessels turned over for the exclusive use of those departments or either of them. *Act of June 15, 1917 (40 Stat. 183).*

COAST AND GEODETIC SURVEY.

534h. *Transfer of vessels, equipment, stations, and personnel of to War Department, etc., in time of national emergency.*—The President

is hereby authorized, whenever in his judgment a sufficient national emergency exists, to transfer to the service and jurisdiction of the War Department, or of the Navy Department, such vessels, equipment, stations, and personnel of the Coast and Geodetic Survey as he may deem to the best interest of the country, and after such transfer all expenses connected therewith shall be defrayed out of the appropriations for the department to which transfer is made. *Sec. 16, Act of May 22, 1917 (40 Stat. 87).*

534i. *Same—Return of when emergency ceases.*—Such vessels, equipment, stations, and personnel shall be returned to the Coast and Geodetic Survey when such national emergency ceases, in the opinion of the President, and nothing in this Act shall be construed as transferring the Coast and Geodetic Survey or any of its functions from the Department of Commerce except in time of national emergency and to the extent herein provided. *Id.*

534j. *Same—Personnel subject to Articles of War, etc., while under jurisdiction of War Department.*—Any of the personnel of the Coast and Geodetic Survey who may be transferred as herein provided shall, while under the jurisdiction of the War Department or Navy Department, have proper military status and shall be subject to the laws, regulations, and orders for the government of the Army or Navy, as the case may be, in so far as the same may be applicable to persons whose retention permanently in the military service of the United States is not contemplated by law. *Id.*, 88.

534k. *Pay and allowances not to be reduced by transfer; pension for disabilities incurred while under jurisdiction of War Department.*—Nothing in this Act shall reduce the total amount of pay and allowances they were receiving at the time of transfer. While actually employed in active service under direct orders of the War Department or of the Navy Department members of the Coast and Geodetic Survey shall receive the benefit of all provisions of laws relating to disability incurred in line of duty or loss of life. *Id.*

(See paragraph 534o, post.)

534l. *Same—Examinations for appointment and promotion.*—No person shall be appointed aid or shall be promoted from aid to junior hydrographic and geodetic engineer or from junior hydrographic and geodetic engineer to hydrographic and geodetic engineer until after passing a satisfactory mental and physical examination conducted in accordance with regulations prescribed by the Secretary of Commerce, except that the President is authorized to nominate for confirmation the assistants and aids in the service on the date of the passage of this Act. *Id.*

534m. *Field officers, designation, appointment, and pay.*—The President is authorized to appoint, by and with the advice and consent of the Senate, the field officers of the Coast and Geodetic

Survey, who are now officially designated assistants and aids, as follows: Officers now designated assistants and receiving a salary of \$2,000 or more per annum shall be appointed hydrographic and geodetic engineers; officers now designated assistants and receiving a salary of \$1,200 or greater but less than \$2,000 per annum shall be appointed junior hydrographic and geodetic engineers; officers now designated aids shall be appointed aids. *Id.*

534n. *Relative rank while serving with Army, etc.*—When serving with the Army or Navy the relative rank shall be as follows:

Hydrographic and geodetic engineers receiving \$4,000 or more shall rank with and after colonels in the Army and captains in the Navy.

Hydrographic and geodetic engineers receiving \$3,000 or more but less than \$4,000 shall rank with and after lieutenant colonels in the Army and commanders in the Navy.

Hydrographic and geodetic engineers receiving \$2,500 or more but less than \$3,000 shall rank with and after majors in the Army and lieutenant commanders in the Navy.

Hydrographic and geodetic engineers receiving \$2,000 or more but less than \$2,500 shall rank with and after captains in the Army and lieutenants in the Navy.

Junior hydrographic and geodetic engineers shall rank with and after first lieutenants in the Army and lieutenants (junior grade) in the Navy.

Aids shall rank with and after second lieutenants in the Army and ensigns in the Navy. *Id.*

534o. *Rates of pay for nonmilitary duty not affected.*—Nothing in this Act shall be construed to affect or alter their rates of pay and allowances when not assigned to military duty as hereinbefore mentioned. *Id.*

(See Paragraph 534k, ante.)

534p. *Secretaries of War, Navy, and Commerce to prescribe regulations governing duties of in time of war.*—The Secretary of War, the Secretary of the Navy, and the Secretary of Commerce shall jointly prescribe regulations governing the duties to be performed by the Coast and Geodetic Survey in time of war, and for the cooperation of that service with the War and Navy Departments in time of peace in preparations for its duties in war, which regulations shall not be effective unless approved by each of the said Secretaries, and included therein may be rules and regulations for making reports and communications between the officers or bureaus of the War and Navy Departments and the Coast and Geodetic Survey. *Id.*

534q. *Status and rights of officers of Public Health Service when serving with Coast Guard, Army, or Navy.*—When officers of the

United States Public Health Service are serving on Coast Guard vessels in time of war, or are detailed in time of war for duty with the Army or Navy in accordance with law, they shall be entitled to pensions for themselves and widows and children, if any, as are now provided for officers of corresponding grade and length of service of the Coast Guard, Army or Navy, as the case may be, and shall be subject to the laws prescribed for the government of the service to which they are respectively detailed. *Joint Res. of July 9, 1917 (40 Stat. 242).*

538a. Sale of horses and mules not required for Regular Army or National Guard.—The Secretary of War is hereby authorized upon the approval of this Act to sell for cash at either public or private sale such horses and mules as are not needed for either the Regular Army or the National Guard and the proceeds shall be turned into the United States Treasury as miscellaneous receipts. *Act of May 12, 1917 (40 Stat. 55).*

546a. Limit of expenditures on buildings, military posts, etc.—Hereafter no expenditure exceeding \$5,000 shall be made upon any building or military post or grounds about the same without the approval of the Secretary of War, upon detailed estimates submitted to him. *Act of May 12, 1917 (40 Stat. 74).*

547a. Limit of cost of barracks and quarters.—Hereafter no money appropriated for military posts shall be expended for the construction of quarters for officers of the army or for barracks and quarters for the artillery the total cost of which, including the heating and plumbing apparatus, wiring, and fixtures, shall exceed, in the case of quarters of a general officer, the sum of fifteen thousand dollars; of a colonel or an officer above the rank of captain, twelve thousand dollars, and of an officer of and below the rank of captain, nine thousand dollars. *Sec. 1, act of June 25, 1910 (36 Stat. 721).*

547b. Hospital buildings, limit of cost for erection of unless authorized by Congress.—No building or structure of a permanent nature, the cost of which shall exceed \$30,000, shall hereafter be erected for use as an Army hospital unless by special authority of Congress. *Act of May 12, 1917 (40 Stat. 58).*

547c. Barracks and quarters; land for cantonments, camp sites, etc.—* * * For grounds for cantonments, camp sites, and other military purposes, and for buildings or portions of buildings for occupation by troops, for use as stables, storehouses, and offices, and for other military purposes; * * *. *Act of Oct. 6, 1917 (40 Stat. 363).*

(The language here used, which authorizes the *purchase* instead of the *leasing* of land for cantonments, camp sites, etc., first occurred in the act of May 12, 1917 (40 Stat., 56).

553a. Annual estimates for establishment and maintenance of rifle ranges.—The Secretary of War shall annually submit to Congress

recommendations and estimates for the establishment and maintenance of indoor and outdoor rifle ranges, under such a comprehensive plan as will ultimately result in providing adequate facilities for rifle practice in all sections of the country. *Sec. 113, Act of June 3, 1916 (39 Stat. 211).*

553b. *Same—Established ranges to be open for use of any branch of military or naval service, and for civilians.*—And that all ranges so established and all ranges which may have already been constructed, in whole or in part, with funds provided by Congress shall be open for use by those in any branch of the military or naval service of the United States and by all able-bodied males capable of bearing arms, under reasonable regulations to be prescribed by the controlling authorities and approved by the Secretary of War. *Id.*

553c. *Same—Detail of officers and noncommissioned officers of Regular Army as instructors at, and issue of arms and ammunition for use of.*—The President may detail capable officers and noncommissioned officers of the Regular Army and National Guard to duty at such ranges as instructors for the purpose of training the citizenry in the use of the military arm. Where rifle ranges shall have been so established and instructors assigned to duty thereat, the Secretary of War shall be authorized to provide for the issue of a reasonable number of standard military rifles and such quantities of ammunition as may be available for use in conducting such rifle practice. *Id.*

553d. *Annual trophy, medals, and prizes, regulations for to be prescribed by Secretary of War.*—For the purpose of furnishing a national trophy and medal and other prizes to be provided and contested for annually, under such regulations as may be prescribed by the Secretary of War, and contests to be open to the Army, and the National Guard or organized militia of the several States, Territories, and of the District of Columbia, and for the cost of the trophy, prizes, and medals herein provided for, the sum of two thousand five hundred dollars be, and the same is hereby, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be expended for the purposes hereinbefore prescribed under the direction of the Secretary of War. *Act of Mar. 2, 1903 (32 Stat. 941).*

563a. *Extra-duty pay, United States disciplinary barracks guard, rates.*—Hereafter the extra-duty pay to the United States disciplinary barracks guard shall be at the following rates per day: Sergeants, thirty-five cents; corporals, thirty cents; and privates, twenty cents. *Act of Aug. 29, 1916 (39 Stat. 632).*

563b. *Extra-duty pay for mess stewards and cooks at recruit depots.*—Extra-duty pay at rates to be fixed by the Secretary of War for mess stewards and cooks at recruit depots who are graduates of

the schools for bakers and cooks, and instructor cooks at the schools for bakers and cooks. *Id.*

(The act of May 12, 1917 (40 Stat., 52), contains a provision identical with above.)

563c. *Extra-duty pay, United States disciplinary barracks guard, rates.*—Hereafter the extra-duty pay to the United States disciplinary barracks guard shall be at the following rates per day: Battalion sergeants major, first sergeants, mess sergeants, supply sergeants, and sergeants, 35 cents; corporals, 30 cents; cooks and mechanics, privates first class, privates, and buglers, 20 cents. *Act of May 12, 1917 (40 Stat. 52).*

(See also paragraphs 563a, ante.)

570a. *Civilian employees, restrictions on employment.*—The number of and total sum paid for civilian employees in the Quartermaster Corps shall be limited to the actual requirements of the service, and that no employee therein shall receive a salary of more than \$150 per month, except upon the approval of the Secretary of War. *Id.*, 636.

(For similar provision see act of May 12, 1917 (40 Stat. 56).)

578a. *Proceeds from sale of cuttings of material for clothing, disposition of.*—Hereafter the proceeds derived from the sale of surplus cuttings of material for clothing manufactured by the Quartermaster Corps of the Army shall be deposited to the credit of that appropriation out of which the material was purchased. *Id.* 635.

588a. *Quartermaster property, articles of, may be sold to officers of Navy and Marine Corps.*—Articles of serviceable quartermaster property may be sold by the Quartermaster General of the Army to officers of the Navy and Marine Corps, for their use in the public service, in the same manner as these articles are now sold to officers of the Army. *Act of Mar. 4, 1915 (38 Stat. 1079).*

588b. *Sale of subsistence stores to officers and enlisted men of Navy and Marine Corps.*—Hereafter the officers and enlisted men of the Navy and the Marine Corps shall be permitted to purchase subsistence supplies at the same price as is charged the officers and the enlisted men of the Army; and the officers and the enlisted men of the Army shall be permitted to purchase subsistence supplies from the Navy and Marine Corps at the same price as is charged the officers and the enlisted men of the Navy and Marine Corps. *Act of Aug. 29, 1916 (39 Stat. 630).*

611a. *Commutation of rations for enlisted men of Army and Militia at national rifle match.*—The sum of \$12,000 is authorized to be expended for supplying meals or furnishing commutation of rations to enlisted men of the Regular Army and the Organized

Militia who may be competitors in the national rifle match: *Provided further*, That no competitor shall be entitled to commutation of rations in excess of \$1.50 per day, and when meals are furnished no greater expense than that sum per man per day for the period the contest is in progress shall be incurred. *Act of Mar. 4, 1915 (38 Stat. 1072)*.

611b. *Commutation of rations for cadets, enlisted men, members of Nurse Corps, etc., rates of.*—For payments: Of commutation of rations to the cadets of the United States Military Academy in lieu of the regular established ration, at the rate of 40 cents per ration; of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, enlisted men and male and female nurses when stationed at places where rations in kind can not be economically issued, and when traveling on detached duty where it is impracticable to carry rations of any kind, enlisted men selected to contest for places or prizes in departments and Army rifle competitions while traveling to and from places of contest, male and female nurses on leaves of absence, applicants for enlistment, and general prisoners while traveling under orders; of commutation of rations in lieu of the regular established ration for members of the Nurse Corps (female) while on duty in hospital, 40 cents per ration, and for enlisted men, applicants for enlistment while held under observation, and general prisoners sick therein, at the rate of 30 cents per ration (except that at the general hospital at Fort Bayard, New Mexico, 50 cents per ration and at other general hospitals 40 cents per ration are authorized for enlisted patients therein), to be paid to the surgeon in charge. *Act of Aug. 29, 1916 (39 Stat. 630)*.

611c. *Same—Including Regular Army Reserve and retired enlisted men when ordered to active duty.*—Commutation of rations to the cadets of the United States Military Academy in lieu of the regular established ration, at the rate of 40 cents per ration; of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, enlisted men and male and female nurses when stationed at places where rations in kind can not be economically issued, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty, and when traveling on detached duty where it is impracticable to carry rations of any kind, enlisted men selected to contest for places or prizes in departments and Army rifle competitions while traveling to and from places of contest, male and female nurses on leaves of absence, applications for enlistment, and general prisoners while traveling under orders; of commutation of rations in lieu of the regular established ration for members of the Nurse Corps (female) while on duty in hospital, at 40 cents per ration, and for enlisted men, applicants for enlistment while held

under observation, and general prisoners sick therein, at the rate of 40 cents per ration (except that at the general hospital at Fort Bayard, New Mexico, 50 cents per ration and at other general hospitals 40 cents per ration are authorized for enlisted patients therein), to be paid to the surgeon in charge.¹ *Act of May 12, 1917* (40 Stat. 50).

616a. *Funds appropriated for support of Army available for purchase of reserve supplies.*—Hereafter funds appropriated for support of the Army may be used for the procurement of supplies to be held in store for issue to the Army during subsequent fiscal years. *Act of Mar. 4, 1915* (38 Stat. 1078).

632a. *Appointment of Army pay clerk with certain service as first lieutenant, Quartermaster Corps.*—The President is authorized to appoint, and, by and with the advice and consent of the Senate, to commission to the grade of first lieutenant in the Quartermaster Corps, United States Army, a pay clerk of over thirty-one years' service, now in active service, and who has been recommended by the then Secretary of War for such appointment. *Act of Aug. 29, 1916* (39 Stat. 644).

633a. *Certain clerks to be known as field clerks, Quartermaster Corps, to receive allowances of pay clerks, and to be subject to the Articles of War.*—Hereafter not to exceed two hundred clerks, Quartermaster Corps, who shall have had twelve years of service, at least three years of which shall have been on detached duty away from permanent stations, or on duty beyond the continental limits of the United States, or both, shall be known as field clerks, Quartermaster Corps,² and shall receive the same allowances, except retirement, as

¹ Under the provisions of the Army appropriation act of May 12, 1917 (40 Stat. 50), it is proper for the camp quartermaster at a National Guard camp to pay to the surgeon of the base hospital commutation of rations for nurses, male and female, stationed at such hospital at a rate of 40 cents per ration when it appears that rations in kind can not be as economically issued. (Dig. Opin. J. A. G., February, 1918.)

² Upon inquiry (a) whether Army field clerks and field clerks, Quartermaster Corps, are exempt from militia duty, and (b) whether their enlistment in the National Guard is prohibited—

Held, as to (a), that since Army field clerks and field clerks, Quartermaster Corps, now occupy a status in the military service of the United States, they come within the provisions of section 59 of the national defense act which exempts "persons in the military and naval service of the United States" from militia duty, and therefore are exempted from such duty.

Held, as to (b), that the National Guard is plainly designed by the national defense act to be an effective force and to supplement the permanent military forces of the Nation, and that it is plainly the intent of the law governing its organization that its members shall be available for any service which it may be called upon to perform, and not be prevented from performing such duty by any paramount obligation in the permanent military force. This intent is clearly indicated by the exemption of persons in the military and naval service of the United States from militia duty, above cited. That special authority of law is necessary to justify the occupancy of status in both the Regular Army and the National Guard by the same person is indicated by the authority expressly conferred by section 100 of the national defense act for officers of

heretofore allowed by law to pay clerks, Quartermaster Corps, and shall be subject to the rules and articles of war. *Id.* 625.

651a. Allowance of fuel, quarters, and forage.—Fuel, quarters, and forage may be furnished in kind to officers by the Quartermaster's Department according to law and regulations: (*Provided, however,* That when forage in kind can not be furnished by the proper departments, then and in all such cases officers entitled to forage may commute the same according to existing regulations: *Provided further,* That officers of the Army and of Volunteers assigned to duty which requires them to be mounted shall, during the time they are employed on such duty, receive the pay, emoluments, and allowances of Cavalry officers of the same grade, respectively.) *Sec. 1270, R. S.*

658a. Commutation of quarters to officers, etc., where no public quarters are available.—Hereafter, at places where there are no public quarters available, commutation for the authorized allowance therefor shall be paid to commissioned officers, acting dental surgeons, veterinarians, members of the Nurse Corps, and pay clerks at the rate of \$12 per room per month; and, when specifically authorized by the Secretary of War, to enlisted men at the rate of \$15 per month, or in lieu thereof he may, in his discretion, rent quarters for the use of said enlisted men when so on duty. *Act of March 4, 1915 (38 Stat. 1069).*

668b. Same—Secretary of War may determine when and where public quarters are not available.—Hereafter the Secretary of War may determine where and when there are no public quarters available within the meaning of this or any other act. *Id.*

668c. Commutation of quarters, heat, and light for officers, etc.—For commutation of quarters and of heat and light to commissioned officers, members of the Nurse Corps, and enlisted men on duty at places where no public quarters are available.¹ *Act of Aug. 29, 1916 (39 Stat. 628).*

671a. Determination of travel and duty.—The Secretary of War may determine what shall constitute travel and duty without troops within the meaning of the laws governing the payment of mileage

the Regular Army to accept commissions in the National Guard with the permission of the President and terminable at his discretion. There is no such authority for any persons in the active military service of the United States, other than officers, to occupy such dual status. Therefore, the effect of the law governing the organization and maintenance of the National Guard is to render a status in the active permanent Military Establishment incompatible with a status in the National Guard. The enlistment of Army field clerks and field clerks, Quartermaster Corps, is therefore, in effect, prohibited by law. (War Dept. Bull. 34, June 8, 1917.)

¹ *Held,* that in view of the fact that the appropriation limits the payment of commutation of quarters, heat, and light to officers only when on duty at places where no public quarters are available, commutation of heat and light can not legally be paid to officers on duty in the field who are provided with tent quarters and who rent other quarters at their own expense. (War Dept. Bul. No. 47, Nov. 16, 1916.)

and commutation of quarters to officers of the Army. *Act of June 12, 1906 (34 Stat. 246).*

673a. Officers on duty as observers with foreign armies in field, expenses of.—The actual and necessary expenses of officers of the Army who, after July first, nineteen hundred and fourteen, have been on duty abroad for the purpose of observing operations of armies of foreign States at war, and of officers who may hereafter be on duty abroad for that purpose, shall be paid out of the appropriation for contingencies of the military information section, General Staff Corps, upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information. *Act of Mar. 4, 1915 (38 Stat. 1063).*

673b. Traveling expenses of officers and enlisted men of foreign armies attached to U. S. Army during present emergency.—The Secretary of War is hereby authorized, under such regulations and in such manner as he may prescribe, to employ such portion of the appropriations made for transportation of the Army and its supplies as in his judgment may be necessary to defray the expenses of travel incurred by officers and enlisted men of foreign armies attached to the Army of the United States during the present emergency, and that those officers and enlisted men, who may have been performing duties in this connection, be reimbursed from this appropriation for the expenditures they have already been obliged to make. *Act of Oct. 6, 1911 (40 Stat 361).*

675a. Mileage to engineer officers.—In determining the mileage of officers of the Corps of Engineers traveling without troops on duty connected with works under their charge, no deductions shall be made for such travel as may be necessary on free or bond-aided or land-grant railways. *Sec. 15, Act of Sept. 19, 1890 (26 Stat. 456).*

680a. Subsistence expenses of officials—Allowances for, outside of District of Columbia limited.—On and after July first, nineteen hundred and fourteen, unless otherwise expressly provided by law, no officer or employee of the United States shall be allowed or paid any sum in excess of expenses actually incurred for subsistence while traveling on duty outside of the District of Columbia and away from his designated post of duty, nor any sum for such expenses actually incurred in excess of \$5 per day; nor shall any allowance or reimbursement for subsistence be paid to any officer or employee in any branch of the public service of the United States in the District of Columbia unless absent from his designated post of duty outside of the District of Columbia, and then only for the period of time actually engaged in the discharge of official duties. *Act of Apr. 6, 1914 (38 Stat. 318).*

-688a. Mileage to officers in Aviation Section, appropriation available for.—Mileage to officers in the aviation section, Signal Corps,

traveling on duty in connection with aviation service shall be paid from the appropriation for the work in connection with which the travel is performed.¹ *Act of May 12, 1917 (40 Stat. 34).*

688b. Mileage to officers of Ordnance Department, appropriation available for.—Mileage to officers of the Ordnance Department traveling on duty in connection with that department shall be paid from the appropriation for the work in connection with which the travel is performed. *Id.*, 65.

689a. Disbursement of certain appropriations heretofore made which shall constitute one fund.—All the money hereinbefore appropriated under the titles Subsistence of the Army, Regular Supplies—Quartermaster Corps, Incidental Expenses—Quartermaster Corps Transportation of the Army and its Supplies, Water and Sewers at Military Posts, and Clothing and Camp and Garrison Equipage shall be disbursed and accounted for by officers and agents of the Quartermaster Corps as "Supplies, Services, and Transportation, Quartermaster Corps," and for that purpose shall constitute one fund. *Act of Mar. 4, 1915 (38 Stat. 1078).*

689b. Same.—All the money hereinbefore appropriated under the titles Subsistence of the Army; Regular supplies, Quartermaster Corps; Incidental expenses, Quartermaster Corps; Transportation of the Army and its supplies; Water and sewers at military posts, and Clothing and camp and garrison equipage, shall be disbursed and accounted for by officers and agents of the Quartermaster Corps as "Supplies, Services, and Transportation of Quartermaster Corps," and for that purpose shall constitute one fund. *Act of Aug. 29, 1916 (39 Stat. 635).*

(For similar provisions see the acts of May 12 and October 6, 1917, 40 Stats., 55, 362.)

689c. Disbursements to be made by the Quartermaster Corps.—All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage to commissioned officers, contract surgeons, expert accountant, Inspector General's

¹ On the question whether the action of the Secretary of War in authorizing the Chief Signal Officer "to issue orders to officers in the aviation section, Signal Corps, under his immediate command, directing journeys on duty in connection with the aviation service of the Army," extends to officers of the aviation section, Signal Officers' Reserve Corps, under the command of the Chief Signal Officer, traveling on duty in connection with the aviation service of the Army.

Held, that the authority conferred has reference to the provisions in the Army appropriation act, approved May 12, 1917, providing: "That mileage to officers in the aviation section, Signal Corps, traveling on duty in connection with aviation service shall be paid from the appropriation for the work in connection with which the travel is performed;" and that the provision of this act was evidently intended to apply to all travel and duty in connection with the aviation service whether performed by regular or reserve officers of the aviation section, Signal Corps; and that the authority in question should be construed as extending to officers of the aviation section, Signal Officers' Reserve Corps, when traveling on duty in connection with the aviation service of the Army. (War Dept. Bull. 42, July 19, 1917.)

Department, Army field clerks, and field clerks of the Quartermaster Corps, when authorized by law, shall be disbursed and accounted for by officers of the Quartermaster Corps, as pay of the Army, and for that purpose shall constitute one fund. *Act of Oct. 6, 1917 (40 Stat. 357).*

(For similar provision see act of May 12, 1917, 40 Stats., 50.)

695a. *Pay of noncommissioned officers and enlisted men.*—Hereafter the monthly pay of enlisted men of certain grades of the Army created in this Act shall be as follows, namely: Quartermaster sergeant, senior grade, Quartermaster Corps; master hospital sergeant, Medical Department; master engineer, senior grade, Corps of Engineers; and band leader, Infantry, Cavalry, Artillery, and Corps of Engineers, \$75; hospital sergeant, Medical Department; and master engineer, junior grade, Corps of Engineers, \$65; sergeant, first class, Medical Department, \$50; sergeant, first class, Corps of Engineers; regimental supply sergeant, Infantry, Cavalry, Field Artillery, and Corps of Engineers; battalion supply sergeant, Corps of Engineers; and assistant engineer, Coast Artillery Corps, \$45; assistant band leader, Infantry, Cavalry, Artillery, and Corps of Engineers; and sergeant bugler, Infantry, Cavalry, Artillery, and Corps of Engineers, \$40; musician, first class, Infantry, Cavalry, Artillery, and Corps of Engineers; supply sergeant, mess sergeant, and stable sergeant, Corps of Engineers; sergeant, Medical Department, \$36; supply sergeant, Infantry, Cavalry, and Artillery; mess sergeant, Infantry, Cavalry, and Artillery; cook, Medical Department; horse-shoer, Infantry, Cavalry, Artillery, Corps of Engineers, Signal Corps, and Medical Department; stable sergeant, Infantry and Cavalry; radio sergeant, Coast Artillery Corps; and musicians, second class, Infantry, Cavalry, Artillery, and Corps of Engineers, \$30; musician, third class, Infantry, Cavalry, Artillery and Corps of Engineers; corporal, Medical Department, \$24; saddler, Infantry, Cavalry, Field Artillery, Corps of Engineers, and Medical Department; mechanic, Infantry, Cavalry, and Field Artillery, and Medical Department; farrier, Medical Department; and wagoner, Infantry, Field Artillery, and Corps of Engineers, \$21; private, first class, Infantry, Cavalry, Artillery, and Medical Department, \$18; private, Medical Department, and bugler, \$15.¹ *Sec. 28, Act of June 3, 1916 (39 Stat. 186).*

(See paragraph 702a for the ensuing provision of this section; see also paragraphs 697 and 698.)

695b. *Increased pay of enlisted men of Army of United States.*—Commencing June one, nineteen hundred and seventeen, and con-

¹ *Held*, that by reason of the saving clause in section 28, that "nothing herein contained shall operate to reduce the pay or allowances now authorized by law for any grade of enlisted men of the Army," privates of the Medical Department transferred to that grade from the Medical Corps by operation of section

tinuing until the termination of the emergency, all enlisted men of the Army of the United States in active service whose base pay does not exceed \$21 per month shall receive an increase of \$15 per month; those whose base pay is \$24, an increase of \$12 per month; those whose base pay is \$30, \$36, or \$40, an increase of \$8 per month; and those whose base pay is \$45 or more, an increase of \$6 per month.¹ *Sec 10, Act of May 18, 1917 (40 Stat. 82).*

(For the preceding provision of this section, see paragraph 1668.)

10 are entitled to be paid at the rate of \$16 per month during the remainder of their current enlistment.

Held further, that the pay of men enlisting in the grade of private, Medical Department, on or after June 3, 1916, will be at the rate of \$15 per month, and also that privates of other branches of the military service whose pay is \$15 per month who are transferred to the grade of private, Medical Department, upon their own application or with their consent, will be paid upon the basis of the new rate of \$15 per month.

Held, that the act of June 3, 1916, created the grade of mess sergeant for certain arms of the service only; that for other arms of the service mess sergeants must be provided as heretofore by detail; that the men holding the grade of mess sergeant under the new act are entitled only to the pay established for that grade, namely, \$36 or \$30 per month, according to the arm of the service in which serving, and that men detailed as mess sergeants in the arms of the service for which the grade of mess sergeant is not provided are entitled to the pay of the grades actually held by them plus \$6 per month, as provided in the act of May 11, 1908; and further, in answer to specific questions,

Held, That—

(a) The base or initial pay of the grade of mess sergeant, Corps of Engineers, is \$36 per month, and no more.

(b) The base or initial pay of the grade of mess sergeant in the Infantry, Cavalry, and Artillery is \$30 per month, and no more.

(c) The continuous-service pay of persons appointed to the grade of mess sergeant should be computed on the basis of the rates mentioned in the answers to questions (a) and (b).

(d) The arms of the service for which the act of June 3, 1916, makes provision for mess sergeants are not entitled to have additional mess sergeants assigned or detailed thereto. Such provision is complete as to such organizations. (Comptroller W. W. Warwick, June 30, 1916.) (War Dept. Bull. 18, July 8, 1916.)

¹The question was presented whether in the case of enlisted men the 20 per cent increase for foreign service provided for by the act of June 30, 1902 (32 Stat., 512), is to be computed on the monthly increase of pay authorized by the act of May 18, 1917. The act of 1902 authorizes the payment to enlisted men of 20 per cent increase for foreign service, such increase to be "over and above the rates of pay proper as fixed by law for *time of peace*"; and the act of May 18, 1917, provides that the monthly increases therein authorized are to continue *only until the termination of the emergency*.

Held, that as the rates of pay "as fixed by law for time of peace" do not include monthly increases provided for by the act of May 18, 1917, which are war increases, such monthly increases can not enter into the computation of the 20 per cent increase provided for foreign service. (Comp. Treas., May 29, 1917; War Dept. Bull. 42, July 19, 1917.)

Certain enlisted men of the District of Columbia National Guard, not in the Federal service, were engaged in outdoor rifle practice under competent orders during the month of June, 1917.

Held, that they were entitled for such service to the increased rates of pay provided for by section 10 of the act of May 18, 1917. (Comp. Treas., Aug. 3, 1917; War. Dept. Bull. 54, Sept. 26, 1917.)

Enlisted men of the Philippine Scouts are not entitled to the increases of pay authorized by section 10 of the selective draft act of May 18, 1917. Their rates of pay are fixed by the Secretary of War under authority of section 36, act of February 2, 1901 (31 Stat., 757). (War Dept. Bull. 75, Dec. 31, 1917.)

695c. *Same—Not applicable to continuous-service pay.*—The increases of pay herein authorized shall not enter into the computation of the continuous-service pay. *Id.*

699a. *Rates of additional pay for qualifying in marksmanship, etc.*—Hereafter enlisted men now qualified or hereafter qualifying as marksmen shall receive \$2 per month; as sharpshooters, \$3 per month; as expert riflemen, \$5 per month; as second-class gunners, \$2 per month; as first-class gunners, \$3 per month; as expert first-class gunners, Field Artillery, \$5 per month; as gun pointers, gun commanders, observers second-class, chief planters, and chief loaders, \$7 per month; as plotters, observers first-class, casemate electricians, and coxswains, \$9 per month, all in addition to their pay, under such regulations as the Secretary of War may prescribe, but no man shall receive at the same time additional pay for more than one of the classifications named in this section.¹ *Act of May 12, 1917 (40 Stat. 45).*

701a. *Enlisted men prohibited from civil employment.*—Hereafter no enlisted man in the active service of the United States in the Army, Navy, and Marine Corps, respectively, whether a noncommissioned officer, musician, or private, shall be detailed, ordered, or permitted to leave his post to engage in any pursuit, business, or performance in civil life, for emolument, hire, or otherwise, when the same shall interfere with the customary employment and regular engagement of local civilians in the respective arts, trades, or professions.² *Sec. 35, Act of June 3, 1916 (39 Stat. 188).*

¹An expert rifleman transferred for the convenience of the Government to the United States war prison barracks, Fort Oglethorpe, Ga., as prison guard loses his right to receive the extra pay of an expert rifleman. Paragraph 1345 of the Army Regulations, allowing extra pay for one year from the date of qualification as expert rifleman, sharpshooter, or marksman, is subject to the proviso that the soldier so qualified continues to be a member of an organization armed with a rifle. (Dig. Opin. J. A. G., March, 1918.)

A soldier transferred from the Field Artillery to the training cadre does not lose his right to additional pay as gunner under Army Regulations 1344 if he is assigned to a cadre force which is transferred to a Field Artillery regiment for service. If, however, the cadre force is transferred to some other branch of the service, then right to additional pay as gunner in the Field Artillery is lost. (*Id.*)

²*Held*, that while an enlisted man on leave of absence or ordinary furlough is unquestionably to be deemed in active service within the meaning of this term as used in the statute mentioned, it would go beyond the primary purpose of the law to apply it to a case like this where the furlough has been granted to an enlisted man under authority of regulations to extend to the date of his retirement, it not being within the contemplation of the authorities granting the furlough that he will ever resume active duty, and that, therefore, in such cases the soldier may accept employment or engage in business without reference to the provisions of section 35 of the national defense act. (War Dept. Bull. 3, Jan. 19, 1917.)

By the act of May 11, 1908 (35 Stat., 110), and the act of June 3, 1916 (39 Stat., 175), enlisted men, Army bands, and members thereof are forbidden from engaging in any competitive civilian employment. The implication is that they may engage in such employment if it does not interfere with the customary and regular engagement of local civilians in the respective arts, trades, or profes-

702a. *Act not to be construed as reducing pay or allowances of any enlisted man.*—Nothing herein contained shall operate to reduce the pay or allowances now authorized by law for any grade of enlisted men of the Army.¹ *Sec. 28, Id., 187.*

(For preceding provision of this section see paragraph 695a.)

704a. *Detail of enlisted men for recruiting duty.*—The Secretary of War is authorized to detach from the Army at large such number of enlisted men as may be necessary to perform duty at the various recruiting stations, and while performing such duty one member of each party shall have the rank, pay, and allowances of sergeant and one the rank, pay, and allowances of corporal of the arm of the service to which they respectively belong. *Sec. 31, Act of Feb. 2, 1901 (31 Stat. 756).*

704b. *Temporary sergeants and corporals at recruiting depots.*—Hereafter the Secretary of War may authorize the temporary appointment of such number of sergeants and corporals in the companies at the general recruiting depots as may be necessary for the proper control and instruction of the varying number of recruits attached to such companies. *Act of Mar. 3, 1909 (35 Stat. 741).*

704c. *One enlisted man at each recruit depot to have rank, pay, and allowances of a regimental sergeant major.*—Hereafter one of the enlisted men detached from the Army at large for duty at each of the recruit depots under the provisions of the Act of June twelfth, nineteen hundred and six, shall, while so detached, have the rank, pay, and allowances of a regimental sergeant major. *Act of Aug. 29, 1916 (89 Stat. 624).*

711a. *Allotments of pay by officers, enlisted men, and certain civilian employees.*—The Secretary of War is hereby authorized to permit, under such regulations as he may prescribe, any officer or enlisted man on the active list of the Army, any retired officer or en-

sions. Whether such interference will or does result is a question of fact, which is not to be settled by reference either to union labor alone or to nonunion labor alone. (War Dept. Bull. 67, Nov. 30, 1917.)

The right of a member of an Army band to play for pay outside the limits of a military reservation is regulated by Army Regulations 261. Under this regulation there is no prohibition upon an enlisted man's engaging in a business of a civil character when by so doing he does not interfere with the customary employment of local civilians in respect to like employment. The concluding paragraph of Regulation 261 prescribes merely a rule of evidence and is not intended to be a prohibition against employment unless the same shall interfere with the employment of local civilians.

The propriety of such employment and the question whether the engaging therein by enlisted men would interfere with the employment of local civilians should be determined by the commanding officer, and, if in any case he shall conclude that such employment does not interfere with the regular employment of local civilians, he may under the law and the regulation permit enlisted men so to be employed. (Dig. Opin. J. A. G., February, 1918.)

¹ *Held*, that this provision relates to the pay of grades and not of individuals, and that demotion of individual soldiers, if found necessary to be made in order to comply with the law providing for a reduction in the members of grades in any particular line of the Army, is not a reduction of pay or allow-

listed man of the Army on active duty, and any permanent civilian employee under the jurisdiction of the War Department on duty outside of the continental limits of the United States, to make allotments of his pay for the support of his wife, children, or dependent relatives,¹ or for such other purposes as the Secretary of War may deem proper. *Act of Oct. 6, 1917* (40 Stat. 385), amending *sec. 16, act of Mar. 2, 1899* (30 Stat. 981), as amended by *act of Mar. 2, 1901* (31 Stat. 896).

712a. Same—Payment to allottees, credits to disbursing officers, liability for erroneous payments.—All allotments of pay of officers, enlisted men, and civilian employees that have been or shall be paid to designated allottees previous to the receipt by disbursing officer of notice of discontinuance of the same from the officer required by regulations to furnish such notice shall pass to the credit of the disbursing officer who has made or shall make such payments; and, if erroneous payment is made because of the failure of an officer to report, in the manner prescribed by the Secretary of War, the death of the grantor, or any fact which renders the allotment not payable, then the amount of such erroneous payment shall be collected by the Quartermaster General from the officer who fails to make such report, if such collection is practicable. Nothing herein shall be construed to invalidate allotments now in force. *Id.*

ALLOTMENTS AND FAMILY ALLOWANCES.

712b. Article applicable to military and naval forces.—The provisions of this article shall apply to all enlisted men² in the military or naval forces of the United States. *Sec. 2-200, act of Oct. 6, 1917* (40 Stat. 402).

712c. Allotments, compulsory and voluntary.—Allotment of pay shall, subject to the conditions, limitations, and exceptions hereinafter specified, be compulsory³ as to wife, a former wife divorced

ances fixed by law for such grades, and hence would not be prohibited by this provision. (Comp. Treas., July 19, 1916; War Dept. Bull. 28, Aug. 18, 1916.)

¹A soldier can not legally be deprived of any part of his pay for the satisfaction of a private claim, even for the support of his dependent parents. But he can make a voluntary allotment for such purpose. If he allots a portion of his pay for the support of his dependent parents, the Government will, under certain circumstances, make an additional allowance to the parents pursuant to the war-risk insurance act of Oct. 6, 1917. (War Dept. Bull. 72, Dec. 24, 1917.)

²Army field clerks are classified as enlisted men in the war-risk insurance act of October 6, 1917, and are therefore required to make compulsory allotments. (Dig. Opin. J. A. G., January, 1918.)

³That portion of pay required to be allotted by the provisions of Article II of the war-risk insurance act of October 6, 1917, is not subject to forfeiture by sentence of a court-martial, but any portion voluntarily allotted is subject to such forfeiture. A sentence imposing forfeiture of a part of pay means forfeiture of the specified part of that portion of pay not covered by compulsory allotment. (War Dept. Bull. 75, Dec. 31, 1917.)

Stoppage of pay because of absence without leave is imposed as a penalty and stands upon the same basis as a forfeiture decreed by sentence of court-martial,

who has not remarried and to whom alimony has been decreed, and a child, and voluntary as to any other person; but on the written consent of the wife or former wife divorced, supported by evidence satisfactory to the bureau of her ability to support herself and the children in her custody, the allotment for her and for such children may be waived; and on the enlisted man's application or otherwise for good cause shown, exemption from the allotment may be granted upon such conditions as may be prescribed by regulations. *Id.*

712d. Amount of compulsory allotments.—The monthly compulsory allotment shall be in an amount equal to the family allowance hereinafter specified except that it shall not be more than one-half the pay, or less than \$15; but for a wife living separate and apart under court order or written agreement or for a former wife divorced, it shall not exceed the amount specified in the court order, decree, or written agreement to be paid to her.¹ *Id.*

Consequently such stoppage of pay is junior to the compulsory allotment made pursuant to Article II of the war-risk insurance act of October 6, 1917 (49 Stat. 398), and can not affect such allotment. (Dig. Opin. J. A. G., February, 1918.)

By virtue of the authority granted in section 13 of the act of October 6, 1917, the following regulation is issued relative to the prorating of allotments and family allowances for periods less than a month when certain events happen within the month.

(1) *Compulsory allotments.*—If a man is enlisted into or discharged from or dies in the military or naval service of the United States within any month the compulsory allotment to be made from his pay shall be prorated in accordance with the Government salary table. Upon the happening within any month of any event which gives rise to, or terminates, or increases or decreases the obligation to make a compulsory allotment, the compulsory allotment shall be prorated as above according to the number of days in the month that the obligation (or the increased or decreased obligation) to make a compulsory allotment existed.

(2) *Voluntary allotments.*—When a man is enlisted into or discharged from or dies in the military or naval service of the United States within any month and makes a voluntary allotment to begin with the date of his enlistment, or continue to the date of his discharge or death, the voluntary allotment to be made from his pay shall be prorated in accordance with the Government salary table. If the enlisted man was in the service on the first day of the month in which he makes a voluntary allotment, the allotment shall begin as of the first day of that month unless he specifies that it shall begin on the first day of a succeeding month.

(3) *Family allowances.*—In every case where the allotment (either compulsory or voluntary) is prorated the family allowance shall be prorated in like manner. But nothing herein shall interfere with the payment of the family allowance for one month after the enlisted man is discharged from the service as provided in section 204. (Regulation No. 5, Jan. 5, 1918. T. D. 9, W. R. Dig. Opin. J. A. G., January, 1918.)

¹An enlisted man is divorced from his wife and in the decree the divorced wife is given custody of the children, but no alimony is granted for the support of either the wife or the children. Is the enlisted man required to make a compulsory allotment for the children?

The act of October 6, 1917, stipulates no condition, except waiver or exemption under section 201, upon which the children of an enlisted man may be deprived of their right to an allotment from his pay. This is in direct contrast to the right of a wife; for in section 201 it is expressly provided that where the wife is divorced the allotment for her, shall not exceed the amount specified in the decree to be paid to her. As to a divorced wife, therefore, the right to share in the enlisted man's pay is terminated upon the issuance of a decree awarding no alimony. The act contains no such limita-

712e. Same—To illegitimate child.—For an illegitimate child, to whose support the father has been judicially ordered or decreed to contribute, it shall not exceed the amount fixed in the order or decree. *Id.* 403.

712f. Same—To divorced wife in addition to allotment for wife or child.—If there be an allotment for a wife or child, a former wife divorced and who has not remarried shall be entitled to a compulsory allotment only out of the difference, if any, between the allotment for the wife or child or both and one-half of the pay. *Id.*

712g. Voluntary allotments, amounts and regulations for.—The enlisted man may allot any proportion or proportions or any fixed amount or amounts of his monthly pay or of the proportion thereof remaining after the compulsory allotment, for such purposes and for the benefit of such person or persons as he may direct, subject, however, to such conditions and limitations as may be prescribed under regulations to be made by the Secretary of War and the Secretary of the Navy, respectively. *Sec. 2-202, Id.*

FAMILY ALLOWANCES.

712h. Amount.—A family allowance of not exceeding \$50 per month shall be granted and paid by the United States upon written application to the bureau by such enlisted man or by or on behalf of any prospective beneficiary, in accordance with and subject to the conditions, limitations, and exceptions hereinafter specified. *Sec. 2-204, Id.*

(For the section immediately preceding this paragraph see paragraphs 71Gc, 716d, post.)

712i. Same—Duration of.—The family allowance shall be paid from the time of enlistment to death in or one month after discharge

tion, however, with respect to the rights of the children, and such limitation should not be imposed unless the act plainly requires it. It should be further noted that the basis of the right to an allotment is essentially one of relationship, and that while the relationship of husband and wife may be terminated by law the relationship of father and child can not.

The enlisted man must make a compulsory allotment for his children in the circumstances stated, unless the allotment is waived or an exemption is granted under section 201 of the act. (Dec. of Dec. 20, 1917, T. D. 9, W. R. Dig. Opin. J. A. G., January, 1918.)

Under the authority conferred by sections 13 and 201 of the act of October 6, 1917, the following regulation is issued relating to exemption from the compulsory allotment for children where they are in custody of divorced wife and no alimony granted for their support, under section 201 of the act of October 6, 1917.

Where an enlisted man is divorced from his wife and in the decree the divorced wife is given custody of the children but no alimony is granted for the support either of the wife or of the children, the enlisted man may, upon application to the bureau, be exempted from the compulsory allotment. The application shall state the name and address of the divorced wife and the names and addresses of the children and shall be supported by evidence showing good cause, including a certified copy of the divorce decree and such other information as the bureau may require.

(Regulation No. 3, Dec. 20, 1917, T. D. 10, W. R. *Id.*)

from the service, but not for more than one month after the termination of the present war emergency. *Id.*

712j. *Same—Not to begin prior to November 1, 1917.*—No family allowance shall be made for any period preceding November first, nineteen hundred and seventeen. *Id.*

712k. *Regulations covering desertion, imprisonment, etc.*—The payment shall be subject to such regulations as may be prescribed relative to cases of desertion and imprisonment and of missing men. *Id.*

712l. *Rates of pay to wife and children, class A.*—Subject to the conditions, limitations, and exceptions hereinabove and hereinafter specified, the family allowance payable per month shall be as follows:

Class A. In the case of a man, to his wife (including a former wife divorced) and to his child or children:

(a) If there be a wife but no child, \$15.

(b) If there be a wife and one child, \$25.

(c) If there be a wife and two children, \$32.50, with \$5 per month additional for each additional child.

(d) If there be no wife, but one child, \$5.

(e) If there be no wife, but two children, \$12.50.

(f) If there be no wife, but three children, \$20.

(g) If there be no wife, but four children, \$30, with \$5 per month additional for each additional child. *Id.*

712m. *Rates of pay to grandchild, parent, brother or sister, Class B.*—Class B. In the case of a man or woman, to a grandchild, a parent, brother, or sister:

(a) If there be one parent, \$10.

(b) If there be two parents, \$20.

(c) For each grandchild, brother, sister, and additional parent, \$5.

In the case of a woman, to a child or children:

(d) If there be one child, \$5.

(e) If there be two children, \$12.50.

(f) If there be three children, \$20.

(g) If there be four children, \$30, with \$5 per month additional for each additional child. *Id.*

712n. *Compulsory allotment prerequisite to payment to members of Class A.*—Family allowances for members of Class A shall be paid only if and while a compulsory allotment is made to a member or members of such class. *Sec. 2-205, Id. 404.*

712o. *Amount payable to divorced wife.*—The monthly family allowance to a former wife divorced shall be payable only out of the difference, if any, between the monthly family allowance to the other members of Class A and the sum of \$50, and only then if alimony shall have been decreed to her. *Id.*

712p. *Amount payable to wife living apart under order of court, etc.*—For a wife living separate and apart under court order or writ-

ten agreement or to a former wife divorced the monthly allowance, together with the allotment, if any, shall not exceed the amount specified in the court order, decree, or written agreement to be paid to her. *Id.*

712q. *Amount payable to illegitimate child.*—For an illegitimate child, to whose support the father has been judicially ordered or decreed to contribute, it shall not exceed the amount fixed in the order or decree. *Id.*

712r. *Conditions prerequisite to payment to members of Class B; amounts.*—Family allowances to members of Class B shall be granted only if and while the member is dependent in whole or in part on the enlisted man, and then only if and while the enlisted man makes a monthly allotment of his pay for such member or members equal to the amount of the monthly family allowance as hereinabove specified, except that—

(a) The maximum monthly allotment so required to be made to members of Class B shall be one-half of his pay.

(b) If he is making no allotment to a member of Class A, the minimum monthly allotment so designated to be made to members of Class B shall be \$15 per month.

(c) If he is making the compulsory allotment to a member of Class A, the minimum monthly allotment so designated to be made to members of Class B shall be one-seventh of his pay, but not less than \$5 per month.¹ *Sec. 2-206, Id.*

¹ By virtue of the authority conferred in section 13 of the act of October 6, 1917, the following regulation is issued relative to the apportionment of the allotment for class B and the family allowance, under section 208 of the act of October 6, 1917.

(1) *Rule of apportionment.*—Whenever as indicated below an allotment or a family allowance is to be apportioned among the members of class B the apportionment shall be on the basis of two shares for a parent and one share for each brother, sister, or grandchild. The total number of shares divided into the amount of the allotment or of the family allowance, as the case may be, will give the amount of each share.

(2) *Apportionment of allotment.*—(a) If the enlisted man makes an allotment for class B and designates to whom the same shall be paid the allotment shall be paid as designated by him.

(b) If the enlisted man makes an allotment for class B but does not designate to whom the same shall be paid the allotment shall be apportioned among the named members of class B according to the rule of apportionment above.

(3) *Apportionment of family allowance.*—(a) If the allotment for class B (whether made in a lump sum or otherwise; is sufficient to secure a family allowance for all persons for whom a family allowance is claimed, the total of the family allowance granted shall be apportioned among the named dependents in class B according to the rule of apportionment above.

(b) If the allotment for class B is made in a lump sum and is at least \$15 but less than one-half of the enlisted man's monthly pay and is not sufficient to secure the family allowance for all persons for whom a family allowance is claimed, the allotment shall be considered made in the manner most effective for securing family allowances; provided that the sum of the family allowances that may be granted as specified in section 204 does not exceed the total sum allotted, subject, however, to the limitations of section 207. The family allowance granted shall be apportioned among the named dependents in class B according to the rule of apportionment above.

(c) If individual allotments are made for the several members of class B

712s. *Same—Exemption from additional allotment under Class B as prerequisite may be granted for cause.*—On the enlisted man's application, or otherwise for good cause shown, exemption from this additional allotment under Class B as a condition to the allowance may be granted, upon such conditions as may be prescribed by regulations. *Id.*

712t. *Limitation on amounts payable to members of Class B.*—The amount of the family allowance to members of Class B shall be subject to each of the following limitations:

If an allowance is paid to one or more beneficiaries of Class A, the total allowance to be paid to the beneficiaries of Class B shall not exceed the difference between the allowance paid to the beneficiaries of Class A and the sum of \$50. *Sec. 2-207, Id.*

712u. *Same—Amount of allowance and allotment not to exceed amount of contribution to support of.*—The total monthly allowance to beneficiaries of Class B added to the enlisted man's monthly allotment to them shall not exceed the average sum habitually contributed by him to their support monthly during the period of dependency but not exceeding a year immediately preceding his enlistment or the enactment of this amendatory Act.¹ *Id.*

712v. *Apportionment of allotments and family allowances between members of Classes A and B.*—As between the members of

and the sum of the allotments is at least \$15 but less than one-half of the enlisted man's monthly pay and if any of the individual allotments is less than the corresponding family allowance (as specified in sec. 204) for the individual member for whom a family allowance is claimed the total allotment shall be considered made in the manner most effective for securing family allowances; provided that the sum of the total family allowances that may be granted as specified in section 204 does not exceed the total sum allotted, subject, however, to the limitations of section 207. The family allowance granted shall be apportioned among the named dependents in class B according to the rule of apportionment above. (Regulation No. 4, Jan. 29, 1918. T. D. 14 W. R. Dig. Opin. J. A. G., January, 1918.)

By virtue of the authority conferred in sections 13 and 206 of the act of October 6, 1917, the following regulation is issued concerning exemption from the allotment for class B as a condition to the family allowance:

An enlisted man who is making a compulsory allotment for class A shall, as a condition to securing the family allowance for class B, be required to allot for class B one-seventh of his monthly pay, but not less than \$5, and shall be automatically exempted, without application, from any further allotment for class B.

(Regulation No. 7, Jan. 14, 1918. T. D. 13 W. R.: *Id.*)

¹By virtue of the authority conferred in section 13 of the act of October 6, 1917, the following regulation is issued relative to the amount of the monthly allotment shall be considered as is necessary as a condition to the family in section 207 (b) as to habitual contributions has been exceeded:

In determining whether the total monthly allowance added to the monthly allotment for Class B is in excess of the average sum habitually contributed monthly by the enlisted man to his dependents, only so much of the monthly allotment shall be considered as is necessary as a condition to the family allowance; and any excess allotment over the amount necessary as a condition to the family allowance shall be transmitted to the dependents as an additional contribution by the enlisted man. (Regulation No. 8, Jan. 29, 1918. T. D. 15 W. R. Dig. Opin. J. A. G., January, 1918.)

Class A and as between the members of Class B, the amount of the allotment and family allowance shall be apportioned as may be prescribed by regulations. *Sec. 2-208, Id.*

712w. *Payments of allotments to Treasury Department for distribution, etc.*—The War and Navy Departments, respectively, shall pay over to the Treasury Department monthly the entire amount of such allotments for distribution to the beneficiaries, and the allotments and family allowances shall be paid by the bureau to or for the beneficiaries. *Sec. 2-209, Id.*

712x. *Investigations as to allowances and allotments.*—Upon receipt of any application for family allowance the commissioner shall make all proper investigations and shall make an award, on the basis of which award the amount of the allotments to be made by the man shall be certified to the War Department or Navy Department, as may be proper. *Sec. 2-210, Id.*

712y. *Same—Modification of award where conditions have changed, etc.*—Whenever the commissioner shall have reason to believe that an allowance has been improperly made or that the conditions have changed, he shall investigate or reinvestigate and may modify the award. *Id., 405.*

By virtue of the authority conferred in section 13 of the war risk insurance act, the following regulation is issued relative to the applicability of the limitation as to habitual contributions in section 207 (b) of the war risk insurance act.

(1) *Dependency arising prior to both enlistment and October 6, 1917.*—If the member of class B, for whom an enlisted man makes a monthly allotment in accordance with section 206 and claims a family allowance, became dependent in whole or in part on the enlisted man prior to both enlistment and October 6, 1917, the limitation as to habitual contributions by him monthly may be computed as of the period (not exceeding one year) of dependency immediately preceding his enlistment or immediately preceding October 6, 1917, whichever period the enlisted man prefers.

(2) *Dependency arising prior to enlistment or October 6, 1917, but not prior to both.*—If the member of class B, for whom the enlisted man makes a monthly allotment in accordance with section 206 and claims a family allowance, became dependent in whole or in part on the enlisted man prior to enlistment or prior to October 6, 1917, but not prior to both, the limitation as to habitual contributions in section 207 (b) is applicable, and the average sum habitually contributed by him monthly shall be computed as of the period (not exceeding one year) of dependency immediately preceding his enlistment or immediately preceding October 6, 1917, as the case may be.

(3) *Dependency arising subsequent to both enlistment and October 6, 1917.*—If the member of class B, for whom the enlisted man makes a monthly allotment in accordance with section 206 and claims a family allowance, becomes dependent in whole or in part on the enlisted man subsequent to both enlistment and October 6, 1917, the limitation as to habitual contributions in section 207 (b) is not applicable, and family allowances will be paid without regard to such limitation.

(Regulation of Feb. 8, 1918, T. D. 16 W. R. Dig. Opin. J. A. G., February, 1918.)

By virtue of the authority conferred in section 13 of the war risk insurance act, the following regulation is issued relative to the definition of dependency:

For the purposes of the war risk insurance act a person is dependent in whole or in part upon another when he is compelled to rely, and the relations between the parties are such that he has a right to rely in whole or in part, on the other for his support. (Regulation of Feb. 23, 1918, T. D. 17, W. R. Id.)

712z. *Same—Amount of each monthly allotment or allowance dependent upon existing conditions.*—The amount of each monthly allotment and allowance shall be determined according to the conditions then existing. *Id.*

712aa. *Military and naval family allowance appropriation, payments from.*—There is hereby appropriated from any money in the Treasury not otherwise appropriated, the sum of \$141,000,000, to be known as the military and naval family allowance appropriation, for the payment of the family allowances provided by Article II. Payments out of this appropriation shall be made upon and in accordance with awards by the Commissioner of the Division of Military and Naval Insurance. *Sec. 2-18, Id., 400.*

(For the section immediately preceding this paragraph see paragraphs 1483n-1483p, and for the ensuing section see paragraph 1483aaaa, post.)

716a. *Military and naval pay deposit fund.*—There shall be set aside as a separate fund in the Treasury, to be known as the military and naval pay deposit fund, all sums held out of pay as provided by section two hundred and three of this Act. *Sec. 2-21, Id., 400.*

(For the section immediately preceding this paragraph see paragraphs 1483vyy, 1483vzzz, post.)

716b. *Same—Available for payment of principal and interest, appropriation for interest.*—Such fund, including all additions, is hereby made available for the payment of the sums so held and deposited, with interest, as provided in section two hundred and three, and the amount necessary to pay interest is hereby appropriated. *Id.*

(For the ensuing section of this act see paragraph 1483q, post.)

716c. *Deposit of unallotted pay to credit of enlisted men.*—In case one-half of an enlisted man's monthly pay is not allotted, regulations to be made by the Secretary of War and the Secretary of the Navy, respectively, may require, under such circumstances and conditions as may be prescribed in such regulations, that any proportion of such one-half pay as is not allotted shall be deposited to his credit, to be held during such period of his service as may be prescribed. *Sec. 2-203, Id., 403.*

(For the section immediately preceding this paragraph see paragraph 712g, ante.)

716d. *Interest, payment of principal and interest.*—Such deposits shall bear interest at the rate of four per centum per annum, with semiannual rests and, when payable, shall be paid principal and interest to the enlisted man, if living, otherwise to any beneficiary or beneficiaries he may have designated, or if there be no such beneficiary, then to the person or persons who would under the laws of the State of his residence be entitled to his personal property in case of intestacy. *Id.*

(For the ensuing section of this act see paragraph 712h, ante.)

721a. *Transportation of change of station allowance of baggage on discharge for disability of enlisted man having ten years or more of service.*—Hereafter when an enlisted man having ten or more years' service in the Army is discharged on account of disability incurred in the line of duty, transportation of his authorized change of station allowance of baggage from his last duty station to his home in addition to other travel allowances fixed by law may be authorized by the Secretary of War. *Act of Aug. 29, 1916 (39 Stat. 633).*

727a. *Pay and allowances of soldier sentenced to dishonorable discharge during execution of suspended sentence.*—Hereafter pay and allowances shall not accrue to a soldier under sentence of dishonorable discharge during such period as the execution of the sentence of discharge may be suspended under authority of the act of Congress approved April twenty-seventh, nineteen hundred and fourteen, and pay which has heretofore been forfeited under such suspended sentence shall not be held to have accrued to the Soldiers' Home under the operation of section forty-eight hundred and eighteen, Revised Statutes, but shall be covered back into the Treasury of the United States. *Act of Mar. 4, 1915 (38 Stat. 1065).*

(This provision will also be found under paragraph 1507a.)

CHAPTER XIX.

THE MEDICAL DEPARTMENT.

	Par.		Par.
The Medical Department, composition of.....	728a	Medical officers appointed to meet increase in time of war to be honorably discharged when strength of Army is reduced	729c
Not to exceed five officers of, may be detailed with American Red Cross	728b	Promotion as captains of first lieutenants in Medical Corps of Regular Army and National Guard	729d.
Veterinary Corps	728c-728n	Relative rank of captains, method of determining.....	731a
Composition of	728c	Appointment in, qualifications for, and promotion.....	732a
Appointment of assistant veterinarian, qualifications and examination for.....	728d	Same—Provision as to age limit repealed.....	732b
Same—Rank, pay, and allowances of.....	728e	Same—Age limit after January 1, 1918	732c
Same—Examination for promotion	728f	Dental surgeons.....	750a-750c
Veterinarians now in Army appointed in Veterinary Corps, rank and pay of.....	728g	Rank, pay, allowances, qualifications, and number of.....	750a
Same—Examination for.....	728h	Same—Number of majors limited to 15.....	750b
Same—Retirement of, if found physically disqualified	728i	Same—Examination for promotion same as for officers of Medical Corps.....	750c
Appointment of reserve veterinarians, pay and allowances of.....	728j	Composition, appointments, promotions, rank, pay, allowances, retirement and number of officers.....	750d
Same—Qualifications of; eligible for appointment as assistant veterinarian	728k	Examining and reviewing boards.....	750e
Probationary appointment of assistant veterinarians from eligible list in order of merit.....	728l	Recommission of surgeons in active service	750f
Same—Discharge of probationary veterinarians whose services are unsatisfactory.....	728m	Same—Confirmation by Senate prior to recommissioning of..	750g
Boards of examiners, composition of	728n	Enlisted force.....	756a-766g
The Medical Corps.....	729a-732c	Composition of.....	756a
Composition of.....	729a	Enlisted men in Hospital Corps at date of approval of act transferred to corresponding grades in Medical Department	756b
Upon reduction by law of authorized enlisted strength of Army no original appointments to be made to commissioned rank in until it has been proportionally reduced	729b		

	Par.		Par.
Appointment and qualifications of master hospital sergeants--	760a	Allowances of superintendent--	770a
Privates, first class, eligible for ratings for additional pay as nurses and dispensary or surgical assistants-----	765a	Sale of medical supplies to American Red Cross-----	775a
Same—No man shall receive more than one rating for additional pay-----	765b	Loan of sanitary equipment of Army and Navy to American Red Cross-----	775b
Original enlistments to be in grade of private and reenlistments, transfers, etc., to be under prescribed regulations--	766a	Same—Return to be provided for and bond to be required--	775c
Enlisted men, total number not to exceed 5 per cent of enlisted strength of Army-----	766b	Same—Extended for instruction of persons who may volunteer for training within certain period-----	775d
Same—Additional men may be enlisted in time of actual or threatened hostilities-----	766c	Sales of medical supplies to civilian employees-----	775e
Number of master hospital sergeants, hospital sergeants, sergeants first class, sergeants, corporal, and cooks-----	766d	Proceeds of sales of medical and hospital supplies, disposition of-----	775f
Number of horseshoers, saddlers, farriers, and mechanics-----	766e	Settlement of accounts between other bureaus of War Department, etc., and Medical Department-----	775g
Number of first-class privates and privates-----	766f	Hospital care Canal Zone garrison; rate of commutation of rations and appropriation from which payable-----	776a
Upon reduction by law of authorized enlisted strength of Army no promotion of non-commissioned officers will be made until their percentage has been reduced proportionally-----	766g	Same-----	776b
		Allowance for keeping and feeding prisoners, provision restricting amount suspended--	776c
		Medical care and treatment in private hospitals of officers, enlisted men, civilian employees, and prisoners of war; exceptions-----	776d
		Applications for trusses-----	783a
		Purchase of trusses-----	783b

728a. *The Medical Department, composition of.*—The Medical Department shall consist of one Surgeon General, with the rank of major general during the active service of the present incumbent¹ of that office, and thereafter with the rank of brigadier general, who shall be chief of said department, a Medical Corps, a Medical Reserve Corps within the limit of time fixed by this Act, a Dental Corps, a Veterinary Corps, an enlisted force, the Nurse Corps and contract surgeons as now authorized by law, the commissioned officers of which shall be citizens of the United States. *Sec. 10, Act of June 3, 1916 (39 Stat. 171).*

(For the next provision of this section see par. 729a. For the provision of sec. 37 abolishing the Medical Reserve Corps one year after passage of act, see par. 1539.)

¹ For provision in section 3, act of October 6, 1917, giving the Surgeon General the rank, pay, and allowances of major general, see paragraph 373a, ante.

728b. *Not to exceed five officers of, may be detailed with American Red Cross.*—Hereafter the President shall be authorized to detail not to exceed five officers of the Medical Department of the Army for duty with the military relief division of the American National Red Cross. *Id.*

(For other provisions of this section, preceding this paragraph, see paragraphs 729a, 729b, 729c, 731a, and 732a.)

VETERINARY CORPS.

728c. *Composition of.*—The President is hereby authorized, by and with the advice and consent of the Senate, to appoint veterinarians and assistant veterinarians in the Army, not to exceed, including veterinarians now in service, two such officers for each regiment of Cavalry, one for every three batteries of Field Artillery, one for each mounted battalion of Engineers, seventeen as inspectors of horses and mules and as veterinarians in the Quartermaster Corps, and seven as inspectors of meats for the Quartermaster Corps; and said veterinarians and assistant veterinarians shall be citizens of the United States and shall constitute the Veterinary Corps and shall be a part of the Medical Department of the Army.¹ *Sec. 16, act of June 3, 1916 (39 Stat. 176).*

(See paragraphs 544, 1078, and 1079 for existing law relative to veterinarians.)

728d. *Appointment of assistant veterinarian, qualifications and examination for.*—Hereafter a candidate for appointment as assistant veterinarian must be a citizen of the United States, between the ages of twenty-one and twenty-seven years,² a graduate of a recognized

¹ Upon inquiry whether veterinarians of Cavalry, Field Artillery, and the Quartermaster Corps who have been recommended for commissions in the Veterinary Corps established by section 16 of the act of June 3, 1916, are to be considered members of the Veterinary Corps pending the issue of their commissions,

Held, that the language of the section referred to defines the Veterinary Corps as consisting of "said veterinarians and assistant veterinarians," and these words can relate only to the veterinarians and assistant veterinarians whose appointments have been provided for in the preceding clauses. The words, "including veterinarians now in the service," are employed in the section only for the purposes (1) of limiting the number of officers who may be appointed veterinarians and assistant veterinarians under the terms of the section, and (2) of indicating that the discharge of veterinarians then in the service was not required; and do not have the effect of including the "veterinarians now in the service" in the Veterinary Corps, which the section plainly constitutes through new appointment. (War Dept. Bull. 15, March 24, 1917.)

² The question was presented whether the provision of the act of May 12, 1917 (Army appropriation act), amending section 24 of the national-defense act, so as to provide new age limits for appointments to the grade of second lieutenant, affected the eligibility for appointment as assistant veterinarians under section 16 of the national-defense act.

Held, that, since the provision of section 16 of the national-defense act governing the eligibility of persons for appointment as assistant veterinarians is not dependent upon or affected by the provisions governing the eligibility for appointment as second lieutenant found in section 24 of that act, the amendment of section 24 by the act of May 12, 1917, does not affect the provision relative to appointment as assistant veterinarians found in section 16 of the national-defense act. (War Dept. Bull. 49, August 22, 1917.)

veterinary college or university, and shall not be appointed until he shall have passed a satisfactory examination as to character, physical condition, general education, and professional qualifications. *Id.*

728e. *Same—Rank, pay, and allowances of.*—An assistant veterinarian appointed under this Act shall, for the first five years of service as such, have the rank, pay, and allowances of second lieutenant; that after five years of service he shall have the rank, pay, and allowances of first lieutenant; that after fifteen years of service he shall be promoted to be a veterinarian with the rank, pay, and allowances of captain, and that after twenty years' service he shall have the rank, pay, and allowances of a major.¹ *Id.*

728f. *Same—Examination for promotion.*—Any assistant veterinarian, in order to be promoted as hereinbefore provided, must first pass a satisfactory examination, under such rules as the President may prescribe, as to professional qualifications and adaptability for the military service; and if such assistant veterinarian shall be found deficient at such examination he shall be discharged from the Army with one year's pay. *Id.*

728g. *Veterinarians now in Army appointed in Veterinary Corps, rank and pay of.*—The Veterinarians of Cavalry and Field Artillery now in the Army, together with such veterinarians of the Quartermaster Corps as are now employed in said corps, who at the date of the approval of this Act shall have had less than five years' governmental service, may be appointed in the Veterinary Corps as assistant veterinarians with the rank, pay, and allowances of second lieutenant; those who shall have had over five years of such service may be appointed in said corps as assistant veterinarians with the rank, pay, and allowances of first lieutenant; and those who shall have had over fifteen years of such service may be appointed in said corps as

Under the national-defense act of June 3, 1916 (39 Stat. 176), a person who is especially qualified for duty as a veterinarian is eligible for a commission as a veterinary officer in the federalized National Guard, even though he may not be a graduate of a veterinary college. (Sec. 74.) Candidates for the position of assistant veterinarian in the Regular Army, or that of reserve veterinarian, must, however, be graduates of a recognized veterinary college or university. (Sec. 16.) (Dig. Opin. J. A. G., January, 1918.)

¹The increase of the Military Establishment provided by the act of May 18, 1917, authorizes the appointment in the Veterinary Corps of officers of the grades of colonel and lieutenant colonel even though the national defense act of June 3, 1916, which established the Veterinary Corps, provides for no grades higher than that of major. This is so because the latter act prescribes an organization appropriate to the limited forces authorized by that act for the Regular Army, whereas the enlarged forces called for by the act of May 18, 1917, render necessary the appointment of such officers for administrative purposes and in order to make such larger forces correspond in organization to that of the Regular Army. (Dig. Opin. J. A. G., January, 1918.)

veterinarians with the rank, pay, and allowances of captain.¹ *Id.* 177.

(See par. 544, 1078, and 1079 for existing law relative to veterinarians.)

728h. Same—Examination for.—No such appointment of any veterinarian shall be made unless he shall first pass satisfactorily a practical professional and physical examination as to his fitness for the military service.² *Id.*

728i. Same—Retirement of if found physically disqualified.—Veterinarians now in the Army or in the employ of the Quartermaster Corps who shall fail to pass the prescribed physical examination because of disability incident to the service and sufficient to prevent them from the performance of duty valuable to the Government shall be placed upon the retired list of the Army with seventy-five per centum of the pay to which they would have been entitled if appointed in the Veterinary Corps as hereinbefore prescribed. *Id.*

728j. Appointment of reserve veterinarians, pay and allowances of.—The Secretary of War, upon recommendation of the Surgeon General of the Army, may appoint in the Veterinary Corps, for such time as their services may be required, such number of reserve veterinarians as may be necessary to attend public animals pertaining to the Quartermaster Corps. Reserve veterinarians so employed shall have the pay and allowances of second lieutenant during such employment and no longer. *Id.*

728k. Same—Qualifications of; eligible for appointment as assistant veterinarian.—Such reserve veterinarians shall be graduates of a recognized veterinary college or university and shall pass a satisfactory examination as to character, physical condition, general education, and professional qualifications in like manner as hereinbefore required of assistant veterinarians; such reserve veterinarians

¹ *Held*, that those persons employed as inspectors of horses and as inspectors of meats, who are qualified veterinarians, come within such authorization and may be commissioned in the Veterinary Corps with rank, pay, and allowances as specified in the act. (War Dept. Bull. 34, Sept. 12, 1916.)

Upon an inquiry whether an assistant veterinarian appointed under the provisions of section 16 of the national defense act might receive credit for service in the Bureau of Animal Industry as "Governmental service," within the meaning of that section,

Held, that since the national defense act as a whole relates to matters under the control of the War Department, it must be assumed that any term employed in the section above referred to which describes service in a more general way than the term "military service" must be construed to cover other service under the War Department only, rather than to extend the operation of the statute to other departments of the Government, and therefore beyond the general purview of the act; and that, therefore, service in the Bureau of Animal Industry can not be counted as "Governmental service" within the meaning of section 16 of the national defense act. (War Dept. Bull. 15, Mar. 24, 1917.)

² *Held*, that as the act limits the character of the examination to a practical professional and physical examination, it excludes a theoretical examination, and the examination required must be confined to such inquiry as will determine the ability of the applicant skillfully to perform his profession, but may include a written examination on questions of a practical nature. (War Dept. Bull. 28, Aug. 18, 1916.)

shall constitute a list of eligibles for appointment as assistant veterinarians, subject to all the conditions hereinbefore prescribed for the appointment of assistant veterinarians. *Id.*

728l. *Probationary appointment of assistant veterinarians from eligible list in order of merit.*—Within a limit of time to be fixed by the Secretary of War, candidates for appointment as assistant veterinarians who shall have passed satisfactorily the examinations prescribed for that grade by this Act shall be appointed, in the order of merit in which they shall have passed such examination, to vacancies as they occur, such appointments to be for a probationary period of two years, after which time, if the services of the probationers shall have been satisfactory, they shall be permanently appointed with rank to date from the dates of rank of their probationary appointments. *Id.*

728m. *Same—Discharge of probationary veterinarians whose services are unsatisfactory.*—Probationary veterinarians whose services are found unsatisfactory shall be discharged at any time during the probationary period, or at the end thereof, and shall have no further claims against the Government on account of their probationary service. *Id.*

728n. *Boards of examiners, composition of.*—The Secretary of War shall from time to time appoint boards of examiners to conduct the veterinary examinations hereinbefore prescribed, each of said boards to consist of three medical officers and two veterinarians.¹ *Id.*

THE MEDICAL CORPS.²

729a. *Composition of.*—The Medical Corps shall consist of commissioned officers below the grade of brigadier general, proportionally distributed among the several grades as in the Medical Corps now established by law. The total number of such officers shall approximately be equal to, but not exceed, except as hereinafter provided, seven for every one thousand of the total enlisted strength of the Regular Army authorized from time to time by law.³ *Sec. 10, id. 171.*

(For provision of this section preceding this paragraph, see paragraph 728a.)

¹ *Held*, that as the law does not specifically require the veterinarian members of the board to have qualified under the examination provided by the national-defense act, and it would be impossible so to constitute the first board the existing veterinarians in the service should be appointed members of the first boards convened for the required examinations. (War Dept. Bull. 18, July 6, 1916.)

² For requirement that commissioned officers of the Medical Corps shall be citizens of the United States, see par. 723a, ante.

³ *Held*, that the prescribed ratio of seven officers to each one thousand enlisted men for the Medical Corps did not become effective with the passage of the act of June 3, 1916, but that the total authorized increase of officers in said corps, to be determined according to the total authorized enlisted strength, including all increments, is subject to the provision in section 24 requiring the increases to be made in five approximately equal increments. (War Dept. Bull. 34, Sept. 12, 1916.)

729b. *Upon reduction by law of authorized enlisted strength of Army no original appointments to be made to commissioned rank in until it has been proportionally reduced.*—If by reason of a reduction by law in the authorized enlisted strength of the Army aforesaid the total number of officers in the Medical Corps commissioned previously to such reduction shall for the time being exceed the equivalent of seven to one thousand of such reduced enlisted strength, no original appointment to commissioned rank in said corps shall be made until the total number of commissioned officers thereof shall have been reduced below the equivalent of seven to the thousand of the said reduced enlisted strength, nor thereafter so as to make the total number of commissioned officers thereof in excess of the equivalent of seven to the thousand of said reduced enlisted strength; and no promotion shall be made above the grade of captain in said corps until the number of officers in the grade above that of captain to which the promotion is due shall have been reduced below the proportional number authorized for such grade on the basis of the reduced enlisted strength, nor thereafter so as to make the number of officers in such grade in excess of the proportional number authorized on the basis of said reduced enlisted strength. *Id.*

729c. *Medical officers appointed to meet increase in time of war to be honorably discharged when strength of Army is reduced.*—When in time of war the Regular Army shall have been increased by virtue of the provisions of this or any other Act, the medical officers appointed to meet such increase shall be honorably discharged from the service of the United States when the reduction of the enlisted strength of the Army shall take place. *Id.*

(For the next provision of this section see paragraph 732a.)

729d. *Promotion as captains of first lieutenants in Medical Corps of Regular Army and National Guard.*—During the existing emergency first lieutenants in the Medical Corps of the Regular Army and of the National Guard shall be eligible to promotion as captain upon such examination as may be prescribed by the Secretary of War.¹ *Act of Oct. 6, 1917 (40 Stat. 397).*

(For the ensuing provisions of this act see paragraphs 750d-750g, and 1581a, *post.*)

¹ Section 10 of the national-defense act provides that persons hereafter commissioned in the Medical Corps shall be promoted to the grade of captain after five years' service in the Medical Corps and upon passing the examinations prescribed by the President for promotion. Public 86, Sixty-fifth Congress, provides that during the present emergency first lieutenants in the Medical Corps of the Regular Army and of the National Guard shall be eligible to promotion as captain upon such examination as may be prescribed by the Secretary of War. Construing these provisions together with section 114 of national-defense act, it is held that all vacancies in the Medical Corps must be filled by permanent or temporary promotions, according to the character of the vacancy, of officers in the Medical Corps below the grade in which the vacancy exists, in order of seniority, subject to the required examinations. Temporary appoint-

731a. *Relative rank of captains, method of determining.*—Relative rank among captains in the Medical Corps, who have or shall have attained that rank by operation of law after a period of service fixed thereby, shall be determined by counting all the service rendered by them as officers in said corps and as assistant surgeons in the Regular Army, subject, however, to loss of files by reason of sentence of court-martial or by reason of failure to pass examination for promotion. *Sec. 10, Act of June 3, 1916 (39 Stat. 171).*

(For the next preceding provision of this section see paragraph 732a.)

732a. *Appointment in, qualifications for, and promotion.*—Persons hereafter commissioned in the Medical Corps shall be citizens of the United States between the ages of twenty-two and thirty years and shall be promoted to the grade of captain upon the completion of five years' service in the Medical Corps and upon passing the examinations prescribed by the President for promotion to the grade of captain in the Medical Corps.¹ *Id.*

(For the next ensuing provision of this section see paragraph 728b.)

ments can be resorted to only when possibilities of promotions by seniority have been exhausted. (War Dept. Bull. '2, Dec. 24, 1917.)

The act of October 6, 1917, repeals section 10 of the act of June 3, 1916, in so far as it requires 24 years' service as a qualification for major in the Dental Corps and limits the number of majors to 15. The same act makes first lieutenants in the Medical Corps of the Regular Army and National Guard eligible to promotion as captains upon examination prescribed by the Secretary of War. The Secretary need not act in the premises unless he so desires. (War Dept. Bull. 75, Dec. 31, 1917.)

¹ Under existing law there are two courses of action prescribed in respect to medical officers who fail to qualify for promotion for reasons other than physical disability incurred in line of duty—the act of April 23, 1908 (35 Stat. 67), which applies to captains and lieutenants, providing that upon their failure to pass the examination the finding of the examining board shall be passed upon by a board of review, and if it be concurred in by the board of review the officer shall be discharged with one year's pay; the other, the act of March 3, 1909 (35 Stat. 737), which applies in terms to majors, and provides that if such officer fails to pass an examination for promotion, for reasons other than physical disability incurred in line of duty, he shall be suspended from promotion and reexamined after the expiration of one year, and if he then fails to pass he shall be retired without promotion.

Held, that by the above-quoted provision of the national-defense act the provisions of the act of March 3, 1909, *supra*, relating to examination of majors of the Medical Corps and the action to be taken in case of failure to qualify for promotion, is extended to include promotions of officers of the Medical Corps above the grade of major and below the grade of brigadier general. (War Dept. Bull. 18, July 8, 1916.)

Section 10 of the national-defense act provides that persons hereafter commissioned in the Medical Corps shall be promoted to the grade of captain after five years' service in the Medical Corps and upon passing the examinations prescribed by the President for promotion. The act of Oct. 6, 1917 (40 Stat. 397), provides that during the present emergency first lieutenants in the Medical Corps of the Regular Army and of the National Guard shall be eligible to promotion as captain upon such examination as may be prescribed by the Secretary of War. Construing these provisions together with section 114 of national-defense act, it is held that all vacancies in the Medical Corps must be filled by permanent or temporary promotions, according to the character of the vacancy, of officers in the Medical Corps below the grade in which the vacancy exists, in order of seniority, subject to the required examinations. Temporary appointments can be resorted to only when possibilities of promotions by seniority have been exhausted. (War Dept. Bull. 72, Dec. 24, 1917.)

732b. Same—Provision as to age limit repealed.—So much of the Act of June third, nineteen hundred and sixteen, as relates to the age limit for eligibility to appointment of first lieutenants in the Medical Department of the Army, be, and the same is hereby, repealed. *Act of Aug. 29, 1916 (39 Stat. 640).*

732c. Same—Age limit after January first, nineteen hundred and eighteen.—After January first, nineteen hundred and eighteen, the maximum age limit for eligibility to appointment of first lieutenants in the Medical Department of the Army shall be thirty-two years. *Id.*

DENTAL SURGEONS.

750a. Rank, pay, allowances, qualifications, and number of.—The President is hereby authorized to appoint and commission, by and with the advice and consent of the Senate, dental surgeons, who are citizens of the United States between the ages of twenty-one and twenty-seven years, at the rate of one for each one thousand enlisted men of the line of the Army. Dental surgeons shall have the rank, pay, and allowances of first lieutenants until they have completed eight years' service. Dental surgeons of more than eight but less than twenty-four years' service shall, subject to such examination as the President may prescribe, have the rank, pay, and allowances of captains. Dental surgeons of more than twenty-four years' service shall, subject to such examination as the President may prescribe, have the rank, pay, and allowances of major.¹ *Sec. 10, Act of June 3, 1916 (39 Stat. 173).*

(For provisions of this section preceding this paragraph see paragraphs 728a, 729a, 729b, 729c, 732a, 731a, 728b, 756a, 760a, 766a, 756b, 766c, 766d, 766e, 766f, 766g, 765a, 765b.)

¹ *Held*, that the provision quoted from the act of 1911 was not repealed by the national defense act, and that the two provisions should be read together; that the term "years' service" as used in the act of June 3, 1916, includes service under contract as well as service under commission, and is limited to service as a dental surgeon under contract or commission; and that therefore, in computing under said law the length of service of dental surgeons, for promotion and other purposes, all such dental surgeons as are otherwise eligible and have service as contract dental surgeons or acting dental surgeons prior to June 3, 1916, shall be given credit for the length of their service as such contract dental surgeons or acting dental surgeons, in addition to credit for service as first lieutenant under the act of Mar. 3, 1911.

(Comp. Treas., July 22, 1916. War Dept. Bull. 28, Aug. 18, 1916.)

Held, that this provision for advancement does not contemplate that it shall be by way of a new appointment and commission, as only the one office, that of dental surgeon, is created, and that increases in rank, pay, and allowances come by operation of law and depend exclusively upon length of service and the passing of required examinations.

Held further, that dental surgeons are entitled to the benefits of section 32 of the act of Feb. 2, 1901 (31 Stat. 756), providing that:

"When the exigencies of the service of any officer who would be entitled to promotion upon examination require him to remain absent from any place where an examining board could be convened, the President is hereby authorized to promote such officer, subject to examination, and the examination shall take place as soon thereafter as practicable." (War Dept. Bull. 47, Nov. 16, 1916.)

While the Dental Corps is included in the Medical Department for adminis-

750b. Same—Number of majors limited to fifteen.—The total number of dental surgeons with rank, pay, and allowances of major shall not at any time exceed fifteen. *Id.*

750c. Same—Examination for promotion same as for officers of Medical Corps.—All laws relating to the examination of officers of the Medical Corps for promotion shall be applicable to dental surgeons.¹ *Id.*

(For the last provision of this section see paragraph 1279a.)

750d. Composition, appointments, promotions, rank, pay, allowances, retirement and number of officers.—Hereafter the Dental Corps of the Army shall consist of commissioned officers of the same grade and proportionally distributed among such grades as are now or may be hereafter provided by law for the Medical Corps, who shall have the rank, pay, promotion and allowances of officers of corresponding grades in the Medical Corps, including the right to retirement as in the case of other officers, and there shall be one dental officer for every thousand of the total strength of the Regular Army authorized from time to time by law.—*Act of Oct. 6, 1917 (40 Stat. 397.)*

(For the preceding provision of this act see paragraph 729d, ante.)

750e. Examining and reviewing boards—Composition.—Dental examining and review boards shall consist of one officer of the Medical Corps and two officers of the Dental Corps. *Id.*

750f. Recommission of surgeons in active service.—Immediately following the approval of this Act all dental surgeons then in active service shall be recommissioned in the Dental Corps in the grades herein authorized in the order of their seniority and without loss of pay or allowances or of relative rank in the Army. *Id.*

trative purposes, it has independent functions, and since the act of October 6, 1917 (40 Stat. 397), makes the personnel of that corps the same as that of the Medical Corps, except as to number per thousand, the Dental Corps is such a corps as should form the basis of an organization in the Officers' Reserve Corps. Subsection 2 of section 1 of Special Regulations 43, War Department, 1917, may properly be amended so as to authorize the commissioning of officers in the Dental Reserve Corps of the Medical Department with the same grades and percentages within the grades as are permitted by law for the Medical Officers' Reserve Corps. (War Dept. Bull. 72, Dec. 24, 1917.)

The act of October 6, 1917, repeals section 10 of the act of June 3, 1916, in so far as it requires 24 years' service as a qualification for major in the Dental Corps and limits the number of majors to 15. The same act makes first lieutenants in the Medical Corps of the Regular Army and National Guard eligible to promotion as captains upon examination prescribed by the Secretary of War. The Secretary need not act in the premises unless he so desires. (War Dept. Bull. 75, Dec. 31, 1917.)

¹ The question was presented as to the proper disposition of a first lieutenant, Dental Corps, who appeared before an examining board to determine his fitness for promotion under the provisions of section 10 of the national-defense act and was found by the board to be disqualified both physically and mentally.

Held, that under the provision of said section which makes applicable to him "all laws relating to the examination of officers of the Medical Corps for promotion," he is, by reason of having failed to pass his physical examination for promotion, entitled to be retired with the rank of captain. (War Dept. Bull. 18, April 6, 1917.)

750g. *Same—Confirmation by Senate prior to recommissioning of.*—No dental surgeon shall be recommissioned who has not been confirmed by the Senate. *Id.*

(For the last provision of this act see paragraph 1581a, post.)

ENLISTED FORCE.

756a. *Composition of.*—The enlisted force of the Medical Department shall consist of the following personnel, who shall not be included in the effective strength of the Army nor counted as a part of the enlisted force provided by law: Master hospital sergeants, Hospital sergeants, sergeants (first class), sergeants, corporals, cooks, horseshoers, saddlers, farriers, mechanics, privates (first class), and privates. *Sec. 10, Act of June 3, 1916 (39 Stat. 172).*

(For provision of this section immediately preceding this paragraph see paragraph 728b. For authorization for one thousand additional sergeants for detail from the Infantry, Cavalry, Field Artillery, Corps of Engineers, Coast Artillery Corps, Medical Department, and Signal Corps of the Regular Army, with corresponding organizations of the National Guard, to assist in the instruction of its personnel and the care of property; and the similar detail of one hundred additional sergeants with the disciplinary organizations at the United States Disciplinary Barracks, see paragraph 1332a.)

756b. *Enlisted men in Hospital Corps at date of approval of Act transferred to corresponding grades in Medical Department.*—The enlisted men of the Hospital Corps who are in active service at the time of the approval of this Act are hereby transferred to the corresponding grades of the Medical Department established by this Act.¹ *Id.*

(For provisions of this section immediately preceding this paragraph see paragraphs 760a and 766a.)

760a. *Appointment and qualifications of master hospital sergeants.*—Master hospital sergeants shall be appointed by the Secretary of War, but no person shall be appointed master hospital sergeant until he shall have passed a satisfactory examination under such regulations as the Secretary of War may prescribe before a board of one or more medical officers as to his qualifications for the position, including knowledge of pharmacy, and demonstrated his fitness therefor by service of not less than twelve months as hospital sergeant or sergeant, first class, Medical Department, or as sergeant, first class, in the Hospital Corps now established by law; and no person shall be designated for such examination except by written authority of the Surgeon General. *Id.*

(For provision of this section immediately preceding this paragraph see paragraph 756a.)

¹ *Held*, that the saving clause at the end of section 28, national-defense act, operates to continue the pay of the grade of private, Hospital Corps, for the benefit of enlisted men during the remainder of their enlistments existing June 3, 1916, and that therefore the soldier, upon his reduction to the grade of private, was entitled to the old rate of \$16 per month. (War Dept. Bull. 57, Dec. 22, 1916.)

765a. *Privates, first class, eligible for ratings for additional pay as nurses and dispensary or surgical assistants.*—Privates, first class, of the Medical Department shall be eligible for ratings for additional pay as follows: As dispensary assistant, \$2 a month; as nurse, \$3 a month; as surgical assistant, \$5 a month. *Id.*

(For the provisions of this sections immediately preceding this paragraph see paragraphs 766a, 766b, 766b, 766c, 766d, 766e, 766f, and 766g.)

765b. *Same—No man shall receive more than one rating for additional pay.*—No enlisted man shall receive more than one rating for additional pay under the provisions of this section, nor shall any enlisted man receive any additional pay under such rating unless he shall have actually performed the duties for which he shall be rated. *Id.* 173.

766a. *Original enlistments to be in grade of private and reenlistments, transfers, etc., to be under prescribed regulations.*—Original enlistments for the Medical Department shall be made in the grade of private, and reenlistments and promotions of enlisted men therein, except as hereinbefore prescribed, and transfers thereto from the enlisted force of the line or other staff departments and corps of the Army shall be governed by such regulations as the Secretary of War may prescribe. *Id.* 172.

(For provision of this section immediately preceding this paragraph, see par. 760a.)

766b. *Enlisted men, total number not to exceed five per centum of enlisted strength of Army.*—The total number of enlisted men in the Medical Department shall be approximately equal to, but not exceed, except as hereinafter provided, the equivalent of five per centum of the total enlisted strength of the Army authorized from time to time by law. *Id.*

(For provision of this section immediately preceding this paragraph, see par 766b.)

766c. *Same—Additional men may be enlisted in time of actual or threatened hostilities.*—In time of actual or threatened hostilities, the Secretary of War is hereby authorized to enlist or cause to be enlisted in the Medical Department such additional number of men as the service may require. *Id.*

766d. *Number of master hospital sergeants, hospital sergeants, sergeants (first-class), sergeants, corporals, and cooks.*—The number of enlisted men in each of the several grades designated below shall not exceed, except as hereinafter provided, the following percentages of the total authorized enlisted strength of the Medical Department, to wit: Master hospital sergeants, one-half of one per centum; hospital sergeants, one-half of one per centum; sergeants, first class, seven per centum; sergeants, eleven per centum; corporals, five per centum; and cooks, six per centum. *Id.*

766e. *Number of horseshoers, saddlers, farriers, and mechanics.*—The number of horseshoers, saddlers, farriers, and mechanics in the Medical Department shall not exceed one each to each authorized ambulance company or like organization. *Id.*

766f. *Number of first-class privates and privates.*—In said department the number of privates, first class, shall not exceed twenty-five per centum of the number of privates. *Id.*

766g. *Upon reduction by law of authorized enlisted strength of Army no promotion of noncommissioned officers will be made until their percentage has been reduced proportionally.*—If by reason of a reduction by operation of law in the authorized enlisted strength of the Army aforesaid the number of noncommissioned officers of any grade in the Medical Department whose warrants were issued previously to such reduction shall for the time being exceed the percentage hereinabove specified for such grade, no promotion to such grade shall be made until the percentage of noncommissioned officers therein shall have been reduced below that authorized for such grade on the basis of the said reduced enlisted strength, nor thereafter so as to make the percentage of noncommissioned officers therein in excess of the percentage authorized on the basis of the said reduced enlisted strength; but noncommissioned officers may be reenlisted in the grades held by them previously to such reduction regardless of the percentages aforesaid; and when under this provision the number of noncommissioned officers of any grade exceeds the percentage specified, any noncommissioned officer thereof, not under charges, may be discharged on his own application. *Id.*

770a. *Allowances of superintendent.*—Hereafter the superintendent shall receive such allowances of quarters, subsistence, and medical care during illness as may be prescribed in regulations by the Secretary of War. *Act of Aug. 29, 1916 (39 Stat. 626).*

775a. *Sale of medical supplies to American Red Cross.*—Hereafter, with the approval of the Secretary of War and at rates of charge of not less than the contract prices paid therefor plus twenty-five per centum to cover the cost of purchase, inspection, and so forth, the Medical Department of the Army may sell for cash to the American National Red Cross such medical supplies and equipments as can be spared without detriment to the military service. *Act of Mar. 4, 1915 (38 Stat. 1080).*

775b. *Loan of sanitary equipment of Army and Navy to American Red Cross.*—The Secretary of War and the Secretary of the Navy be, and are hereby, authorized to issue, each at his discretion and under proper regulations to be prescribed by him, out of equipment for medical and other establishments on hand, belonging to the Government and which can be temporarily spared, such articles as may appear to be required for instruction and practice by organizations

formed by the American National Red Cross, for the purpose of rendering aid to the Army and Navy in war. *Joint resolution No. 15, May 8, 1914 (38 Stat. 771).*

775c. *Same—Return to be provided for, and bond to be required.*—The regulations prescribed by the Secretary of War or by the Secretary of the Navy, in pursuance of the authority granted by section one, shall provide for the immediate return of the articles of equipment loaned the American National Red Cross when called for by the authority which issued them; and the said Secretaries shall require a bond in each case, in double the value of the property, for the care and safe-keeping thereof and for the return of the same when required. *Sec. 2, Id.*

775d. *Same—Extended for instruction of persons who may volunteer for training within certain period.*—The provisions of section one of the joint resolution approved May eighth, nineteen hundred and fourteen, authorizing the issue of military and naval equipment to the American National Red Cross be, and they are hereby, so extended as to permit the issue of the same to the American National Red Cross for the instruction of persons who may volunteer to receive training by that association from May first to June first, nineteen hundred and sixteen. *Joint resolution of May 18, 1916 (39 Stat. 164).*

775e. *Sales of medical supplies to civilian employees.*—Hereafter civilian employees of the Army stationed at military posts may, under regulations to be made by the Secretary of War, purchase necessary medical supplies when prescribed by a medical officer of the Army. *Act of Apr. 23, 1904 (33 Stat. 273).*

775f. *Proceeds of sales of medical and hospital supplies, disposition of.*—Hereafter all moneys arising from dispositions of serviceable medical and hospital supplies authorized by law and regulation shall constitute one fund on the books of the Treasury Department, which shall be available to replace medical and hospital supplies throughout the fiscal year in which the dispositions were effected and throughout the following fiscal year. *Act of June 12, 1906 (34 Stat. 256).*

775g. *Settlement of accounts between other bureaus of War Department, etc., and Medical Department.*—Hereafter in the settlement of accounts between the appropriations of the Medical Department and those of any other branch of the Army service, or any bureau or office of the War Department, or any other executive department or establishment of the Government, payment thereof may be made by the proper disbursing officer of the Medical Department or of the branch of the Army service, office, bureau, department, or establishment concerned. *Act of Mar. 4, 1915 (38 Stat. 1080).*

776a. *Hospital care Canal Zone garrison; rate of commutation of rations and appropriation from which payable.*—For paying the Panama Canal such reasonable charges, exclusive of subsistence, as may be approved by the Secretary of War for caring in its hospitals for officers, enlisted men, military prisoners, and civilian employees of the Army admitted thereto upon the request of proper military authority: *Provided*, That the subsistence of the said patients, except commissioned officers and acting dental surgeons, shall be paid to said hospitals out of the appropriation for subsistence of the Army at the rates provided therein for commutation of rations for enlisted patients in general hospitals. *Act of Mar. 4, 1915 (38 Stat. 1080).*

(For similar provision in deficiencies Act, see Act of Mar. 4, 1915, 38 Stat. 114.4).

776b. *Same.*—For paying the Panama Canal such reasonable charges, exclusive of subsistence, as may be approved by the Secretary of War for caring in its hospitals for officers, enlisted men, military prisoners, and civilian employees of the Army admitted thereto upon the request of proper military authority: *Provided*, That the subsistence of the said patients, except commissioned officers and acting dental surgeons, shall be paid to said hospitals out of the appropriation for subsistence of the Army at the rates provided therein for commutation of rations for enlisted patients in general hospitals. *Act of Aug. 29, 1916 (39 Stat. 640).*

(For similar provision see act of May 12, 1917, 40 Stat. 61.)

776c. *Allowance for keeping and feeding prisoners, provision restricting amount suspended.*—That portion of the Act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June thirtieth, nineteen hundred and eighteen,¹ which provides "that no more than 50 cents per day for the keeping and feeding of each prisoner while actually confined shall be allowed or paid for any such keeping and feeding," shall not be operative during the fiscal year nineteen hundred and eighteen. *Act of Oct. 6, 1917 (40 Stat. 346).*

776d. *Medical care and treatment in private hospitals of officers, enlisted men, civilian employees, and prisoners of war; exceptions.*—For medical care and treatment not otherwise provided for, including care and subsistence in private hospitals, of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough. *Act of May 12, 1917 (40 Stat. 60).*

¹ See 39 Stat. 1058.

783a. *Application for trusses.*—Application for such truss shall be made by the ruptured soldier to an examining surgeon for pensions, whose duty it shall be to examine the applicant, and when found to have a rupture or hernia to prepare and forward to the Surgeon General an application for such truss without charge to the soldier. *Sec. 1117, R. S.*

783b. *Purchase of trusses.*—The Surgeon General is authorized and directed to purchase the trusses required for such soldiers at wholesale prices, and the cost of the same shall be paid upon the requisition of the Surgeon General out of any moneys in the Treasury not otherwise appropriated. *Sec. 1178, R. S.*

CHAPTER XX.

THE CORPS OF ENGINEERS.

	Par.		Par.
The Corps of Engineers-----	784a-792a	Part of line of Army-----	791a
Composition of-----	784a	Band—Composition of-----	792a
Vacancies, appointment to, under existing law; officers of Army or Navy may become candidates for appointment to, without vacating their commissions-----	786a	Lands for military purposes-----	802a-802d
Regimental organization-----	790a	Condemnation proceedings-----	802a
Battalion and company organizations-----	790b	Same—Purchase of at an agreed price-----	802b
Same—President may increase regimental, battalion, and company organizations-----	790c	Same—Acceptance of donation of lands-----	802c
Same—Battalion and company organizations of mounted Engineers-----	790d	Same—Examination of title, etc., prior to possession waived in time of war-----	802d
Same—President may increase battalion and company organizations of mounted Engineers-----	790e	Per diem rate of \$4 per day in lieu of subsistence for persons traveling outside District of Columbia, etc., whose expenses are chargeable to Army appropriation act-----	808a
Detail of officers from Corps of Engineers for command of regiments, battalions, and companies-----	790f	Military surveys and maps, assistance of United States Geological Survey, Coast and Geodetic Survey, etc., in making-----	808b

784a. Composition of.—The Corps of Engineers shall consist of one Chief of Engineers, with the rank of brigadier general;¹ twenty-three colonels; thirty lieutenant colonels; seventy-two majors; one hundred and fifty-two captains; one hundred and forty-eight first lieutenants; seventy-nine second lieutenants; and the enlisted men hereinafter enumerated. The Engineer troops of the Corps of Engineers shall consist of one band, seven regiments, and two mounted battalions. *Sec. 11, Act of June 3, 1916 (39 Stat. 173).*

(For authorization for 1,000 additional sergeants for detail from the Infantry, Cavalry, Field Artillery, Corps of Engineers, Coast Artillery Corps, Medical Department, and Signal Corps of the Regular Army, with corresponding organizations of the National Guard, to assist in the instruction of its personnel and the care of property, and the similar detail of 100 additional sergeants with the disciplinary organizations at the United States disciplinary barracks, see paragraph 1332a.)

786a. Vacancies, appointment to, under existing law; officers of Army or Navy may become candidates for appointment to, without

¹ For provision in section 3. act of October 6, 1917, giving the Chief of Engineers the rank, pay, and allowances of major general see paragraph 373a, ante.

vacating their commissions.—Appointments to the grade of second lieutenant in the Corps of Engineers, including those created by this Act, shall continue to be made as now provided by law, but that officers of the Army or Navy of the United States may become candidates for said appointments under the provisions of section five of the Act of Congress approved February twenty-seventh, nineteen hundred and eleven,¹ without previously vacating their commissions as officers, and that the Secretary of War may, in his discretion, allow persons to become candidates without previously establishing eligibility for appointment as junior engineer under the Engineer Bureau of the War Department. *Sec. 24, Id. 183.*

(For the provisions of this section preceding this paragraph, see paragraphs 331b, 331c, 331d, 331e, and 331f, and for the provision immediately following, see paragraph 331g.)

790a. Regimental organization.—Each regiment of Engineers shall consist of one colonel; one lieutenant colonel; two majors; eleven captains; twelve first lieutenants; six second lieutenants; two master engineers, senior grade; one regimental sergeant major; two regimental supply sergeants; two color sergeants; one sergeant bugler; one cook; one wagoner for each authorized wagon of the field and combat train, and two battalions. *Sec. 11, Id. 172.*

(For preceding provision of this section see paragraph 784a.)

790b. Battalion and company organizations.—Each battalion of a regiment of Engineers shall consist of one major; one captain; one battalion sergeant major; three master engineers, junior grade; and three companies. Each Engineer company (regimental) shall consist of one captain; two first lieutenants; one second lieutenant; one first sergeant; three sergeants, first class; one mess sergeant; one supply sergeant; one stable sergeant; six sergeants; twelve corporals; one horseshoer; two buglers; one saddler; two cooks; nineteen privates, first class; and fifty-nine privates.² *Id.*

¹ See paragraph 785, ante.

² A company commander of Engineers inquired whether he was correct in placing on the rolls as privates the names of reservists recalled to the colors for active duty and assigned to his company, when such reservists had been furloughed as first-class privates, or if he should have carried them as attached privates, first class, and assigned them to the first vacancies in that grade. His doubt was due to the fact that section 11 of the national-defense act of June 3, 1916, specifies as a component part of an Engineer company, first-class privates and privates, whereas the old law (sec. 11 of the act of Feb. 2, 1901) prescribed first-class privates and second-class privates.

Held, that it evidently was not the intention of Congress by the change in the designation of the two grades mentioned to abolish the old grades and create new ones, since the pay remains the same, and section 28 of the national-defense act, which declares that "hereafter the monthly pay of men of certain grades of the Army created in this act shall be as follows, namely," does not include the grade of private, first class, Engineer Corps, nor private, Engineer Corps, and that therefore the reservists referred to by the company commander should have been carried on the rolls as privates, first class, Engineer Corps, and paid as such, in accordance with the provisions of paragraph 86 of the Regulations for the Regular Army Reserve, 1916. (War Dept. Bull. 26, May 7, 1917.)

790c. *Same—President may increase regimental, battalion, and company organizations.*—The President may, in his discretion, increase a regiment of Engineers by two master engineers, senior grade, and two sergeants; each battalion of a regiment of Engineers by three master engineers, junior grade; and each Engineer company (regimental) by two sergeants, six corporals, one cook, twelve privates, first class, and thirty-four privates. *Id.*

(For the ensuing provision of this section see paragraph 792a.)

790d. *Same—Battalion and company organizations of mounted Engineers.*—Each battalion of mounted Engineers shall consist of one major; five captains; seven first lieutenants; three second lieutenants; one master engineer, senior grade; one battalion sergeant major; one battalion supply sergeant; three master engineers, junior grade; one corporal; one wagoner for each authorized wagon of the field and combat train; and three mounted companies. Each mounted Engineer company shall consist of one captain; two first lieutenants; one second lieutenant; one first sergeant; two sergeants, first class; one mess sergeant; one supply sergeant; one stable sergeant; four sergeants; eight corporals; two horseshoers; one saddler; two cooks; two buglers; twelve privates, first class; and thirty-seven privates. *Id.* 174.

(For the provisions of this section immediately preceding this paragraph, see paragraph 792a.)

790e. *Same—President may increase battalion and company organizations of mounted Engineers.*—The President may, in his discretion, increase the battalions of mounted Engineers by one master engineer, senior grade; two sergeants; and three master engineers, junior grade; and a mounted Engineer company by two sergeants; three corporals; eight privates, first class; and twenty-four privates. *Id.*

790f. *Detail of officers from Corps of Engineers for command of regiments, battalions, and companies.*—Appropriate officers to command the regiments, battalions, and companies herein authorized and for duty with and as staff officers of such organizations shall be detailed from the Corps of Engineers, and shall not be in excess of the numbers in each grade enumerated in this section. *Id.*

791a. *Part of line of Army.*—The enlisted force of the Corps of Engineers and the officers serving therewith shall constitute a part of the line of the Army. *Id.*

792a. *Band, composition of.*—The Engineer band shall consist of one band leader; one assistant band leader; one first sergeant; two band sergeants; four band corporals; two musicians, first class; four musicians, second class; thirteen musicians, third class; and two cooks. *Id.*

(For provisions of this section preceding this paragraph, see paragraphs 784a, 790a, 790b, and 790c, and for the provisions following it see paragraphs 790d, 790e, 790f, and 791a.)

LANDS FOR MILITARY PURPOSES.

802a. *Condemnation proceedings.*—Hereafter the Secretary of War may cause proceedings to be instituted in the name of the United States, in any court having jurisdiction of such proceedings for the acquirement by condemnation of any land, temporary use thereof or other interest therein, or right pertaining thereto, needed for the site, location, construction, or prosecution of works for fortifications, coast defenses, and military training camps, such proceedings to be prosecuted in accordance with the laws relating to suits for the condemnation of property of the States wherein the proceedings may be instituted.¹ *Act of July 2, 1917 (40 Stat. 241).*

(See also paragraphs 1274k-1274p, post.)

802b. *Same—Purchase of at an agreed price.*—When the owner of such land, interest or rights pertaining thereto shall fix a price for the same, which, in the opinion of the Secretary of War, shall be reasonable, he may purchase or enter into a contract for the use of the same at such price without further delay. *Id.*

802c. *Same—Acceptance of donation of lands.*—The Secretary of War is hereby authorized to accept on behalf of the United States donations of land and the interest and rights pertaining thereto required for the above-mentioned purposes. *Id.*

802d. *Same—Examination of title, etc., prior to possession waived in time of war.*—When such property is acquired in time of war or the imminence thereof upon the filing of the petition for the condemnation of any land, temporary use thereof or other interest therein or right pertaining thereto to be acquired for any of the purposes aforesaid, immediate possession thereof may be taken to the extent of the interest to be acquired and the lands may be occupied and used for military purposes, and the provision of section three hundred and fifty-five² of the Revised Statutes, providing that no public money shall be expended upon such land until the written opinion of the Attorney General shall be had in favor of the validity of the title, nor until the consent of the legislature of the State in which the land is located has been given, shall be, and the same are hereby, suspended during the period of the existing emergency. *Id.*

(See also paragraphs 1274o and 1274p, post.)

¹ Authority "for the acquirement by condemnation of any land, temporary use thereof, or other interest therein, or right pertaining thereto, needed for the site, location, construction, or prosecution of works for fortifications, coast defenses, and military training camps," is found in the act of July 2, 1917 (40 Stat. 241). When land is to be acquired for purposes other than those above specified, authority for their acquisition must be sought elsewhere, e. g., the Signal Corps, act of July 24, 1917 (40 Stat. 243); the act of October 6, 1917 (40 Stat. 345), and the act of August 1, 1888 (25 Stat. 357). (Dig. Opin. J. A. G., February, 1918.)

² See paragraph 258, ante.

808a. *Per diem rate of \$4 per day in lieu of subsistence for persons traveling outside District of Columbia, etc., whose expenses are chargeable to Army appropriation Act.*—Where the expenses of persons engaged in field work or traveling on official business outside of the District of Columbia and away from their designated posts of duty are chargeable to appropriations of the Engineer Department contained in the Army appropriation Act for the fiscal year nineteen hundred and seventeen, a per diem rate of \$4 may be allowed in lieu of subsistence. *Act of Aug. 29, 1916 (39 Stat. 642).*

808b. *Military surveys and maps, assistance of United States Geological Survey, Coast and Geodetic Survey, etc., in making.*—The Secretary of War is authorized to secure the assistance, wherever practicable, of the United States Geological Survey, the Coast and Geodetic Survey, or other mapping agencies of the Government in this work¹ and to allot funds therefor to them from this appropriation. *Act of Oct. 6, 1917 (40 Stat. 365).*

¹The execution of topographic or other surveys, the securing of such extra topographic data as may be required, and the preparation and printing of maps required for military purposes.

CHAPTER XXI.

THE ORDNANCE DEPARTMENT—ARMORIES AND ARSE- NALS—BOARD OF ORDNANCE AND FORTIFICATION.

	Par.		Par.
The Ordnance Department.....	809a-825b	Condemned cannon, etc., do- nated to patriotic organiza- tions, etc., Government not to transport, and to remain sub- ject to orders of Secretary of War.....	849a
Composition of	809a	Same.....	849b
Same—Immediate increase au- thorized.....	809b	Additional compensation for master armorer at Springfield Armory.....	854a
Details	812a	Repeal of provision for monthly pay.....	854b
Detail of majors for duty in....	813a	Certain appropriations avail- able for allowance in lieu of substance for civilians trav- elling outside of the District..	857a
Detail of not to exceed 30 stu- dent officers in establishments of the Ordnance Department..	813b	Same.....	857b
Ordnance sergeants, qualifica- tions and appointment.....	820a	Salaries of clerks at Springfield Armory.....	857c
Chief of Ordnance member of commission on manufacture of Government articles by prison- ers at United States peniten- tiaries.....	822a	Leaves of absence to all em- ployees.....	857d
Public quarters—Occupancy by Ordnance officer of brick house at proving ground not occupancy of	825a	Same—Pro rata leave.....	857e
Same—Per diem expenses of officers not occupying.....	825b	Same—Discretion as to time when can be allowed.....	857f
Ammunition, etc., for small- arms target practice, instruc- tion of civilians, etc.....	831a	Same—Total annual leave with pay.....	857g
Officers of Ordnance Department accountable for public moneys may designate other officers to disburse same; account- ability for.....	832a	Same—Sick leave and holidays not affected.....	857h
Sale of ordnance and ordnance stores to Government of Cuba	844a	Accrued leaves of absence to civilian employees of Ord- nance Department serving abroad	857i
		Taylor system—No salary to be paid officer, superintendent, manager, or foremen using..	864a
		Same.....	864b

THE ORDNANCE DEPARTMENT.

809a. Composition of.—The Ordnance Department shall consist of one Chief of Ordnance, with the rank of brigadier general;¹ ten colonels; fifteen lieutenant colonels; thirty-two majors; forty-two captains; forty-two first lieutenants; the ordnance sergeants, as now authorized by law, and such other enlisted men of grades now authorized by law as the President may direct. *Sec. 12, Act of June 3, 1916 (39 Stat. 174).*

(For the ensuing provision of this section see paragraph 820a.)

809b. Same—Immediate increase authorized.—Section twenty-four of the national-defense Act approved June third, nineteen hundred and sixteen, is so amended as to authorize the President to organize immediately the whole of the increase in the Ordnance Department authorized by section twelve of said Act, or such part thereof as he may deem necessary. *Act of May 12, 1917 (40 Stat. 47), amending Sec. 24, Act of June 3, 1916 (39 Stat. 182).*

812a. Details.—Vacancies which may occur in the commissioned personnel of the Ordnance Department shall be subject to the provisions of sections twenty-six and twenty-seven of the Act approved February second, nineteen hundred and one, the Acts approved June twenty-fifth, nineteen hundred and six, and February twenty-fourth, nineteen hundred and fifteen, and Acts amendatory thereof relating to the Ordnance Department. *Sec. 12, Act of June 3, 1916 (39 Stat. 174).*

(For the provision of this section immediately preceding this paragraph see paragraph 820a, and for the ensuing provision of the section see paragraph 813b.)

813a. Detail of majors for duty in.—Majors may be detailed in the Ordnance Department, under section twenty-six of the Act approved February second, nineteen hundred and one, and Acts amendatory thereof,² without a compulsory period of service out of that department. *Act of Feb. 24, 1915 (38 Stat. 812).*

813b. Detail of not to exceed thirty student officers in establishments of the Ordnance Department.—Hereafter the Secretary of War is authorized to detail not to exceed thirty lieutenants from the Army at large for duty as student officers in the establishments of the Ordnance Department for a period of two years; and the completion of the prescribed course of instruction shall constitute the examination for detail in the Ordnance Department. *Sec. 12, Act of June 3, 1916 (39 Stat. 174).*

(For provisions of this section preceding this paragraph see paragraphs 809a, 820a, and 812a.)

¹ For provision in section 3, act of October 6, 1917, giving the Chief of Ordnance the rank, pay, and allowance of major general, see paragraph 373a, ante.

² See pars, 373–385, ante.

820a. *Ordnance sergeants, qualifications and appointment.*—Ordnance sergeants shall be selected by the Secretary of War from the sergeants of the line or Ordnance Department who shall have served faithfully for eight years, including four years in the grade of non-commissioned officers. *Id.*

(For the provision of this section preceding this paragraph see paragraph 809a, and for ensuing provision see paragraph 812a.)

822a. *Chief of Ordnance member of commission on manufacture of Government articles by prisoners at United States penitentiaries.*—There is created a commission, to be composed of the Chief of Ordnance of the United States Army, the Chief of Ordnance of the United States Navy, the superintendent of prisons of the Department of Justice, and the purchasing agent of the Post Office Department, who shall serve without additional compensation and who shall report to Congress not later than the first Monday in December, nineteen hundred and sixteen, detailed estimates and plans for equipping the United States penitentiaries for the manufacture, by the prisoners, of various articles used by the Government. Such report shall indicate what articles it is thought desirable to be so manufactured; the cost of equipping existing buildings and the erection and equipping of any other necessary buildings; the probable cost of manufacture of such articles and the price now paid under contract; and such other data as may be pertinent to the general inquiry. For expenses of the commission, to be paid on vouchers to be approved by the chairman, who shall be selected by the members thereof, \$5,000. *Act of Sept. 8, 1916 (39 Stat. 819).*

825a. *Public quarters—Occupancy by ordnance officer of brick house at proving ground not occupancy of.*—Hereafter the occupancy by such officers, providing themselves with quarters elsewhere, of one room in the building at the proving ground locally known as the brick house, shall not be construed as occupancy of public quarters within the meaning of this Act and of the law authorizing allowance and commutation of quarters. *Act of Mar. 3, 1915 (38 Stat. 889).*

825b. *Same—Per diem expenses of officers not occupying.*—For necessary expenses of officers not occupying public quarters at the proving ground while employed on ordnance duty thereat, at the rate of \$2.50 per diem while so employed. *Id.*

831a. *Ammunition, etc., for small-arms target practice, instruction of civilians, etc.*—For manufacture and purchase of ammunition, targets, and other accessories for small-arms, hand, and machine-gun target practice and instruction; marksmen's medals, prize arms, and insignia for all arms of the service; and ammunition, targets, target materials, and other accessories may be issued for small-arms target practice and instruction of able-bodied males capable of bearing arms

and at the educational institutions and State soldiers' and sailors' orphans' homes to which issues of small arms are lawfully made, under such regulations as the Secretary of War may prescribe, provided the total value of the stores so issued to the educational institutions and homes does not exceed \$30,000, \$3,000,000.

Provided, That not more than \$1,500,000 of this appropriation may be used for the purchase of articles not manufactured by the Government and necessary for small-arms target practice. *Act of Aug. 29, 1916 (39 Stat., 643).*

832a. *Officers of Ordnance Department accountable for public moneys may designate other officers to disburse same, accountability for.*—During the present emergency, under such regulations as may be prescribed by the Secretary of War, officers of the Ordnance Department accountable for public moneys may intrust moneys to other officers for the purpose of having them make disbursements as their agents, and the officers to whom the money is intrusted, as well as the officers who intrust it to them, shall be held pecuniarily responsible therefor to the United States. *Act of Oct. 6, 1917 (40 Stat. 367).*

844a. *Sale of ordnance and ordnance stores to Government of Cuba.*—The Secretary of War is hereby authorized to sell, at the prices fixed and published by the Chief of Ordnance, to the Government of Cuba such articles and quantities of ordnance and ordnance stores as may be desired by that Government for the equipment of its troops and as may be approved by the President of the United States. *Act of Aug. 29, 1916 (39 Stat. 643).*

849a. *Condemned cannon, etc., donated to patriotic organizations, etc., Government not to transport, and to remain subject to orders of Secretary of War.*—No expense shall be incurred by the United States through the delivery of any of the foregoing condemned military equipment: *And provided further*, That each and every article of condemned military equipment covered by this Act shall be subject at all times to the order of the Secretary of War. *Act of Mar. 4, 1915 (38 Stat. 1212).*

849b. *Same.*—No expense shall be incurred by the United States through the delivery of any of the foregoing condemned military equipment: *Provided further*, That each and every article of condemned military equipment covered by this Act shall be subject at all times to the order of the Secretary of War. *Act of Sept. 8, 1916 (39 Stat. 843).*

854a. *Additional compensation for master armorer at Springfield Armory.*—In addition to the compensation now allowed and paid to the master armorer at the national armory in Springfield, Massachusetts, there shall be paid to him, from and after the passage of this Act, further compensation at the rate of one thousand dollars per annum during such time as he shall perform the duties of

master machinist at said armory in addition to those of master armorer. *Act of Aug. 5, 1882 (22 Stat. 299).*

854b. *Repeal of provision for monthly pay.*—The following provision contained in the Act approved April twenty-third, nineteen hundred and four, "Hereafter all employees of the Ordnance Department whose compensation is annual shall be paid monthly," is hereby repealed.¹ *Act of May 12, 1917 (40 Stat. 74).*

857a. *Certain appropriations available for allowance in lieu of subsistence for civilians traveling outside of the District.*—The appropriations hereinbefore made under the heading "Ordnance Department" shall be available for the payment of an allowance not to exceed \$4 per day in lieu of subsistence to civilian employees of the Ordnance Department traveling on official business outside of the District of Columbia and away from their designated posts of duty. *Act of Mar. 4, 1915 (38 Stat. 1084).*

857b. *Same.*—The appropriations hereinbefore made under the heading "Ordnance Department" shall be available for the payment of an allowance not to exceed \$4 per day in lieu of subsistence to civilian employees of the Ordnance Department traveling on official business outside of the District of Columbia and away from their designated posts of duty. *Act of Aug. 29, 1916 (39 Stat. 644).*

857c. *Salaries of clerks at Springfield Armory.*—On and after the passage of this act, in lieu of compensation now allowed to the clerks at the United States armory in Springfield, Massachusetts, including fuel and quarters, there shall be paid to each of said clerks an annual salary of one thousand six hundred and fifty dollars. *Act of June 23, 1874 (18 Stat. 282).*

857d. *Leaves of absence to all employees.*—Each and every employee of the navy yards, gun factories, naval stations, and arsenals of the United States Government is hereby granted thirty days' leave of absence each year, without forfeiture of pay during such leave. *Act of Aug. 29, 1916 (39 Stat. 617).*

857e. *Same—Pro rata leave.*—It shall be lawful to allow pro rata leave only to those serving twelve consecutive months or more. *Id.*

857f. *Same—Discretion as to time when can be allowed.*—In all cases the heads of divisions shall have discretion as to the time when the leave can best be allowed. *Id.*

857g. *Same—Total annual leave with pay.*—Not more than thirty days' leave with pay shall be allowed any such employee in one year. *Id., 618.*

857h. *Same—Sick leave and holidays not affected.*—This provision shall not be construed to deprive employees of any sick leave or legal holidays to which they may now be entitled under existing law. *Id.*

¹33 Stat. 276.

857i. *Accrued leaves of absence to civilian employees of Ordnance Department serving abroad.*—Hereafter any civilian employee of the Ordnance Department who is a citizen of the United States and employed at any station outside the continental limits of the United States may, in the discretion of the Secretary of War, after at least two years' continuous, faithful, and satisfactory service abroad, and subject to the interests of the public service, be granted accrued leave of absence, with pay, for each year of service, and if an employee should elect to postpone the taking of any or all of the leave to which he may be entitled in pursuance hereof such leave may be allowed to accumulate for a period of not exceeding four years, the rate of pay for accrued leave to be the rate obtaining at the time the leave is granted. *Act of May 12, 1917 (40 Stat. 65).*

864a. *Taylor system—No salary to be paid officer, superintendent, manager, or foreman using.*—No part of the appropriations made in this bill shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made, with a stop watch or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this bill be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no claim for services performed by any person while violating this proviso shall be allowed. *Act of Mar. 4, 1915 (38 Stat. 1083).*

864b. *Same.*—No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premium or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.¹ *Act of Aug. 29, 1916 (39 Stat. 648.)*

¹ For similar provisions in the current sundry civil, fortifications, and naval appropriations acts, see 39 Stats. 336, 351, and 619; also sec. 6, act of Feb. 14, 1917 (39 Stat. 914); act of Mar. 4, 1917 (39 Stat. 1194); and acts of May 12 and June 12, 1917 (40 Stat. 70, 180).

CHAPTER XXII.

THE SIGNAL CORPS.

	Par.		Par.
Composition of, and details to the Aviation Section.....	879a	Same—Details from line officers, tour of service, and re-detail of proficient aviators...	889c
Increase of commissioned and enlisted strength, including Aviation Section.....	879b	Same—Aviation students, selection, tour of service, etc.; no vacancies created by such detachment.....	889d
Same—Temporary officers, appointment, etc.....	879c	Same—Details not compulsory in time of peace.....	889e
Same—Examination prior to appointment, promotion, or detail.....	879d	Same—Assignment to cease if officer is inefficient, etc.....	889f
Same—Appointment by President, and by President with consent of Senate.....	879e	Same—Aviation officers rated, junior military aviators, etc....	889g
Appointment of general officers for, including Aviation Section.....	879f	Same—Rating, increased grade and pay of junior military aviators, aviation students, etc.....	889h
Vacancies in Regular Army, etc., from temporary appointments in Signal Corps.....	879g	Same—Personnel of enlisted men, rating of aviation mechanic.....	889i
Pay, allowances, etc., of temporary officers and enlisted men of same as for corresponding grades in Regular Army.....	879h	Same—Instruction in art of flying, and increase of pay....	889j
Present authorized strength of Regular or National Army not to be decreased.....	879i	Same—Qualification certificates required, examinations for, etc.....	889k
Officers' and Enlisted Reserve Corps of Aviation Section, pay, etc.....	879j	Same—Issue of certificates of qualification.....	889l
Same—Payments to be made by disbursing officers, Quartermaster Corps.....	879k	Same—Service as aviation students prior to detail, rating requirements for military aviators, etc.....	889m
Exchange of typewriters and adding machines.....	883a	Same—Payments in case of death from accident.....	889n
Aviation Section.....	889a-889u	Aviation officers, ratings of and qualifications for.....	889o
Created, duties, etc.....	889a	Same—Rank and pay of.....	889p
Same—Officers and enlisted men provided for to be additional to regular corps allotment.....	889b	Same—Increased pay and allowances authorized in act of March 2, 1913, repealed.....	889q

Par.		Par.
	Married officers of line of Army eligible for detail to aviation duty; enlisted men of aviation section to be instructed in art of flying-----	889r
	Age of officer not a bar to original detail, and neither age nor rank a bar to subsequent details-----	889s
	Aviator, Signal Corps, appointment of qualified civilians as-----	889t
	Same—Pay and provision for discharge of-----	889u
	Advisory Committee for Aeronautics-----	889v-889aa
	Composition of-----	889v
	Same—No compensation for members-----	889w
	Same—Duty to supervise research, etc-----	889x
	Same—Rules of conduct for-----	889y
	Same—Appropriation for experimental work, etc-----	889z
	Same—Annual report to include itemized statement of expenditures-----	889aa
	Appropriation for purchase, manufacture, etc., of airships and other aerial machines for the Aviation Section-----	889bb
	Appropriation for payment of officers and enlisted men of the Aviation Section, Officers' Reserve Corps and Enlisted Reserve Corps, when called into active service-----	889cc
	Appropriation for development of suitable type of aviation motor-----	889dd
	Secretary of War to receive officers and enlisted men of Coast Guard for instruction in aviation at aviation schools-----	889ee
	Obtaining basic patents for manufacture and development of aircraft-----	889ff
	Same—Purchase arrangements advantageous to Government may be entered into-----	889gg
	Same—Bond to be required where validity of patents is in litigation-----	889hh
	Consolidation of appropriation for National Advisory Committee for Aeronautics-----	889ii
	Increase in Aviation Section, ratings of aviation officers-----	889jj
	Same—Length of service for ratings of military aviator and military aeronaut; exception-----	889kk
	Same—Increase in rank and pay of aviation officers-----	889ll
	Same—Increased pay while on duty requiring aerial flights-----	889mm
	Rating of enlisted men in Aviation Section-----	889nn
	Same—Increase of pay-----	889oo
	Purchase, manufacture, etc., of airships, guns, equipment, buildings, etc-----	889pp
	Same—Establishment of aviation stations, etc-----	889qq
	Public lands for temporary barracks, quarters, hospitals, and other buildings, etc-----	889rr
	Purchase, etc., of special clothing, apparel, and equipment-----	889ss
	Expenses of officers, etc., on special aviation duty at home and abroad-----	889tt
	Same—Special course in foreign aviation schools and manufacturing establishments-----	889uu
	Development of suitable types of aviation engines, etc-----	889vv
	Plants, etc., for manufacture of airplanes, aircraft, engines, etc-----	889ww
	Instructions to aviation students at technical schools and colleges-----	889xx
	Mileage to officers and enlisted men of foreign armies serving with the Aviation Section-----	889yy
	Appropriation for carrying into effect provisions of act-----	889zz
	Aircraft Board-----	889aaa-889iii
	Purpose for which created-----	889aaa
	Same—Compensation of board and appointment of its chairman and civilian members-----	889bbb
	Same—Tenure of board and office of its members; compensation of civilian members-----	889ccc

	Par.		Par.
Same—Supervise and direct purchase, manufacture, etc., of aircraft, and equipment, etc.	889ddd	Same—Age limits for draft----	890e
Same—May make recommendations as to contracts-----	889eee	Same—Grades of chauffeur, first class, and chauffeur created--	890f
Same—Employment of clerks, technical advisers, etc.; pay of-----	889fff	Same—Pay and allowances of chauffeurs-----	890g
Same—Rent offices, purchase equipment and supplies, administrative expenses, etc., fund for-----	889ggg	Same—Rank of chauffeurs-----	890h
Same—Duplication of existing office or organization-----	889hhh	Organization into divisions, brigades, regiments, etc-----	890i
Same—Annual report to Congress of salaries paid to clerks and employees-----	889iii	Same—Organization of headquarters and headquarters detachments-----	890j
Enlisted force, composition of--	890a	Collection of forwarding charges due connecting commercial or radio companies for transmission of Government business; vouchers and claims for-----	898a
Same—Organization of into companies, battalions, and aero squadrons-----	890b	Property returns to be made semiannually-----	901a
Same—May be mounted-----	890c	Settlement of accounts between other bureaus of War Department, etc., and the Signal Corps-----	901b
Increase in enlisted men by enlistment or draft-----	890d		

THE SIGNAL CORPS.

879a. *Composition of and details to the Aviation Section.*—The Signal Corps shall consist of one Chief Signal Officer, with the rank of brigadier general;¹ three colonels; eight lieutenant colonels; ten majors; thirty captains; seventy-five first lieutenants; and the Aviation Section, which shall consist of one colonel; one lieutenant colonel; eight majors; twenty-four captains; and one hundred and fourteen first lieutenants, who shall be selected from among officers of the Army at large of corresponding grades or from among officers of the grade below, exclusive of those serving by detail in staff corps or departments, who are qualified as military aviators, and shall be detailed to serve as aviation officers for periods of four years unless sooner relieved; and the provisions of section twenty-seven of the Act of Congress approved February second, nineteen hundred and one, are hereby extended to apply to said aviation officers and to vacancies created in any arm, corps, or department of the Army by the detail of said officers therefrom; but nothing in said Act or in any other law now in force shall be held to prevent the detail or re-detail at any time, to fill a vacancy among the aviation officers au-

¹ For provision in section 3, Act of October 6, 1917, giving the Chief Signal Officer the rank, pay, and allowances of major general, see paragraph 373a, ante.

thorized by this Act, of any officer who, during prior service as an aviation officer of the Aviation Section, shall have become proficient in military aviation. *Sec. 13, Act of June 3, 1916 (39 Stat. 174).*

(For the ensuing provision of this section see paragraph 889o.)

879b. Increase of commissioned and enlisted strength, including Aviation Section.—For and during the existing emergency, the President be, and is hereby, authorized to increase the present authorized commissioned and enlisted strength of the Signal Corps of the Army, including the Aviation Section thereof. *Sec. 1, Act of July 24, 1917 (40 Stat. 243).*

879c. Same—Temporary officers, appointment, etc.—To provide the additional commissioned personnel required by this Act the President is authorized to promote, appoint, detail, or attach as temporary officers in the Signal Corps, including the Aviation Section thereof, officers of the Regular Army, National Army, or National Guard, or the Officers' Reserve Corps, or to appoint temporarily enlisted men of the Regular Army, enlisted men of the Enlisted Reserve Corps, or persons from civil life. *Sec. 2, id.*

879d. Same—Examination prior to appointment, promotion or detail.—No person shall be so promoted, appointed, detailed, or attached until he shall have been found physically, mentally, and morally qualified under regulations prescribed by the Secretary of War. *Id.*

879e. Same—Appointment by President, and by President with consent of Senate.—Officers with rank not above colonel shall be appointed and commissioned by the President alone, irrespective of the rank or grade held by them on the date of the passage of this Act, and that officers above the grade of colonel shall be appointed by the President, by and with the advice and consent of the Senate, irrespective of the rank or grade held by them on the date of the passage of this Act. *Id.*

(For sections 3 and 4 of this act see paragraphs 890d–890j, post.)

879f. Appointment of general officers for, including Aviation Section—The President, by and with the advice and consent of the Senate, is authorized to appoint for the period of the existing emergency such general officers of appropriate grades as may be necessary for staff duty and for duty with such brigades and divisions of the troops of the Signal Corps, including the Aviation Section thereof, as may be organized by the President. *Sec. 5, Id., 244.*

879g. Vacancies in Regular Army, etc., from temporary appointments to Signal Corps.—Vacancies in all grades of the Regular Army, National Army, or National Guard resulting from the temporary appointment of officers thereof to higher grades shall be filled or vacated as provided for in sections eight and nine¹ of the

¹ See paragraphs 1663–1667, post.

Act authorizing the President to increase temporarily the military establishment of the United States and approved May eighteenth, nineteen hundred and seventeen. *Id.*

(For section 6 and 7 of this act see paragraphs 889jj–889oo, post.)

879h. *Pay, allowances, etc., of temporary officers and enlisted men same as for corresponding grades in Regular Army.*—All officers and enlisted men of the temporary forces of the Signal Corps, including the Aviation Section thereof provided for herein, shall be in all respects on the same footing as to pay, allowances, and pensions as permanent officers and enlisted men of corresponding grades and length of service in the Regular Army. *Sec. 8, Id., 245.*

879i. *Present authorized strength of Regular or National Army not to be decreased.*—Nothing in this Act shall operate to decrease the present authorized strength of the Regular Army or National Army heretofore authorized by law. *Id.*

879j. *Officers' and Enlisted Reserve Corps of Aviation Section, pay, etc.*—Also to pay and otherwise provide for such officers of the Officers' Reserve Corps of the Aviation Section of the Signal Corps and such enlisted men of the Enlisted Reserve Corps of the Aviation Section of the Signal Corps as may be called into active service and such enlisted men as may be enlisted in the Aviation Section of the Signal Corps under the provisions of section two¹ of the Act to increase temporarily the military establishment of the United States, approved May eighteenth, nineteen hundred and seventeen, or any subsequent Act temporarily increasing the commissioned or enlisted personnel of the Aviation Section of the Signal Corps and such civilian employees as may be necessary, for the payment of their traveling and other necessary expenses when not traveling with troops. *Sec. 9, Id., 246.*

(For the preceding provisions of this section see paragraphs 889pp–889uu, and 1293h, post, and for the ensuing provisions see paragraphs 889vv–889yy, post.)

879k. *Same—Payments to be made by disbursing officers, Quartermaster Corps.*—Hereafter all reserve officers and enlisted men of the Aviation Section of the Signal Corps shall be paid by Quartermaster Corps disbursing officers from funds transferred to their credit from Signal Corps appropriations. *Id.*

(For the ensuing provision of this section see paragraph 889vv, post.)

883a. *Exchange of typewriters and adding machines.*—Hereafter the Signal Corps may exchange typewriters and adding machines in the purchase of similar equipment. *Act of Mar. 4, 1915 (38 Stat. 1064).*

¹ See paragraph 1641, post.

AVIATION SECTION.

889a. *Created, duties, etc.*—There shall hereafter be, and there is hereby created, an Aviation Section, which shall be a part of the Signal Corps of the Army, and which shall be, and is hereby, charged with the duty of operating or supervising the operation of all military aircraft, including balloons and aeroplanes, all appliances pertaining to said craft, and signaling apparatus of any kind when installed on said craft; also with the duty of training officers and enlisted men in matters pertaining to military aviation. *Sec. 1, Act of July 18, 1914 (38 Stat. 514).*

889b. *Same—Officers and enlisted men provided for to be additional to regular corps allotment.*—In addition to such officers and enlisted men as shall be assigned from the Signal Corps at large to executive, administrative, scientific, or other duty in or for the Aviation Section, there shall be in said section aviation officers not to exceed sixty in number and two hundred and sixty aviation enlisted men of all grades; and said aviation officers and aviation enlisted men, all of whom shall be engaged on duties pertaining to said Aviation Section, shall be additional to the officers and enlisted men now allotted by law to the Signal Corps, the commissioned and enlisted strengths of which are hereby increased accordingly. *Sec. 2, id.*

889c. *Same—Details from line officers, tour of service, and redetail of proficient aviators.*—The aviation officers provided for in this section shall, except as hereinafter prescribed specifically to the contrary, be selected from among officers holding commissions in the line of the Army with rank below that of captain, and shall be detailed to serve as such aviation officers for periods of four years, unless sooner relieved, and the provisions of section twenty-seven¹ of the Act of Congress approved February second, nineteen hundred and one (Thirty-first Statutes, page seven hundred and fifty-five), are hereby extended so as to apply to said aviation officers and to the vacancies created in the line of the Army by the detail of said officers therefrom, but nothing in said Act or in any other law now in force shall be held to prevent the detail or redetail at any time to fill a vacancy among the aviation officers authorized by this Act, of any officer holding a commission in the line of the Army with rank below that of captain, and who, during prior service as an aviation officer in the aviation section, shall have become especially proficient in military aviation. *Id.*

889d. *Same—Aviation students, selection, tour of service, etc.; no vacancies created by such detachment.*—There shall also be constantly

¹ See paragraph 383, ante, or 31 Stat. 755.

attached to the aviation section a sufficient number of aviation students to make, with the aviation officers actually detailed in said section under the provisions of this Act, a total number of sixty aviation officers and aviation students constantly under assignment to, or detail in, said section. Said aviation students, all of whom shall be selected on the recommendation of the chief signal officer from among unmarried lieutenants of the line of the Army not over thirty years of age, shall remain attached to the aviation section for a sufficient time, but in no case to exceed one year, to determine their fitness or unfitness for detail as aviation officers in said section, and their detachment from their respective arms of service which under assignment to said section shall not be held to create in said arms vacancies that may be filled by promotions or original appointments. *Id.* 515.

889e. *Same—Details not compulsory in time of peace.*—No person, except in time of war, shall be assigned or detailed against his will to duty as an aviation student or an aviation officer. *Id.*

889f. *Same—Assignment to cease if officer is inefficient, etc.*—Whenever, under such regulations as the Secretary of War shall prescribe and publish to the Army, an officer assigned or detailed to duty of any kind in or with the aviation section shall have been found to be inattentive to his duties, inefficient, or incapacitated from any cause whatever for the full and efficient discharge of all duties that might properly be imposed upon him if he should be continued on duty in or with said section, said officer shall be returned forthwith to the branch of the service in which he shall hold a commission. *Id.*

889g. *Same—Aviation officers rated junior military aviators, etc.*—The aviation officers hereinbefore provided for shall be rated in two classes, to wit, as junior military aviators and as military aviators. Within sixty days after this act shall take effect the Secretary of War may, upon the recommendation of the Chief Signal Officer, rate as junior military aviators any officers with rank below that of captain, who are now on aviation duty and who have, or shall have before the date of rating so authorized, shown by practical tests, including aerial flights, that they are especially well qualified for military aviation service; and after said rating shall have been made the rating of junior military aviator shall not be conferred upon any person except as hereinafter provided. *Sec. 3, id.*

889h. *Same—Rating, increased grade and pay of junior military aviators, aviation students, etc.*—Each aviation student authorized by this act shall, while on duty that requires him to participate regularly and frequently in aerial flights, receive an increase of 25 per centum in the pay of his grade and length of service under his line com-

mission. Each duly qualified junior military aviator shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his line commission, provided that his rank under said commission be not higher than that of first lieutenant, and, while on duty, requiring him to participate regularly and frequently in aerial flights, he shall receive in addition an increase of 50 per centum in the pay of his grade and length of service under his line commission. The rating of military aviator shall not be hereafter conferred upon or held by any person except as hereinafter provided, and the number of officers with that rating shall at no time exceed fifteen. Each military aviator who shall hereafter have duly qualified as such under the provisions of this act shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his line commission, provided that his rank under said commission be not higher than that of first lieutenant, and, while on duty requiring him to participate regularly and frequently in aerial flights, he shall receive in addition an increase of 75 per centum of the pay of his grade and length of service under his line commission. *Id.*

889i. *Same—Personnel of enlisted men, rating of aviation mechanician.*—The aviation enlisted men hereinbefore provided for shall consist of twelve master signal electricians, twelve first-class sergeants, twenty-four sergeants, seventy-eight corporals, eight cooks, eighty-two first-class privates, and forty-four privates. Not to exceed forty of said enlisted men shall at any one time have the rating of aviation mechanician, which rating is hereby established, and said rating shall not be conferred upon any person except as hereinafter provided.¹ *Id.*, 516.

889j. *Same—Instruction in art of flying, and increase of pay.*—Twelve enlisted men at a time shall, in the discretion of the officer in command of the aviation section, be instructed in the art of flying, and no enlisted man shall be assigned to duty as an aerial flyer against his will except in time of war. Each aviation enlisted man, while on duty that requires him to participate regularly and frequently in aerial flights or while holding the rating of aviation mechanician, shall receive an increase of fifty per centum in his pay. *Id.*

889k. *Same—Qualification certificates required, examinations for, etc.*—Except as hereinafter provided in the cases of officers now on aviation duty, no person shall be detailed as an aviation officer, or rated as a junior military aviator, or as a military aviator, or as an aviation mechanician, until there shall have been issued to him a

¹ Held that aviation enlisted men holding the rating of aviation mechanician are entitled to the increase of pay while on furlough. (War Dept. Bull. 18, July 8, 1916.)

certificate to the effect that he is qualified for the detail or rating, or for both the detail and the rating, sought or proposed in his case, and no such certificate shall be issued to any person until an aviation examining board, which shall be composed of three officers of experience in the aviation service and two medical officers, shall have examined him, under general regulations to be prescribed by the Secretary of War and published to the Army by the War Department, and shall have reported him to be qualified for the detail or rating, or for both the detail and the rating, sought or proposed in his case. *Id.*

8891. *Same—Issue of certificates of qualification.*—The Secretary of War shall cause appropriate certificates of qualification to be issued by The Adjutant General of the Army to all officers and enlisted men who shall have been found and reported by aviation examining boards in accordance with the terms of this act, to be qualified for the details and ratings for which said officers and enlisted men shall have been examined. *Id.*

889m. *Same—Service as aviation students prior to detail, rating requirements for military aviators, etc.*—Except as hereinbefore provided in the cases of officers who are now on aviation duty and who shall be rated as junior military aviators as hereinbefore authorized, no person shall be detailed for service as an aviation officer in the aviation section until he shall have served creditably as an aviation student for a period to be fixed by the Secretary of War; and no person shall receive the rating of military aviator until he shall have served creditably for at least three years as an aviation officer with the rating of junior military aviator. *Id.*

889n. *Same—Payments in case of death from accident.*—There shall be paid to the widow of any officer or enlisted man who shall die as the result of an aviation accident, not the result of his own misconduct, or to any other person designated by him in writing, an amount equal to one year's pay at the rate to which such officer or enlisted man was entitled at the time of the accident resulting in his death, but any payment made in accordance with the terms of this proviso on account of the death of any officer or enlisted man shall be in lieu of and a bar to any payment under the Acts of Congress approved May eleventh, nineteen hundred and eight, and March third, nineteen hundred and nine (Thirty-fifth Statutes, pages one hundred and eight and seven hundred and thirty-five), on account of death of said officer or enlisted man. *Id.*

889o. *Aviation officers, ratings of and qualifications for.*—Aviation officers may, when qualified therefor, be rated as junior military aviators or as military aviators, but no person shall be so rated until

there shall have been issued to him a certificate to the effect that he is qualified for the rating, and no certificate shall be issued to any person until an aviation examining board, which shall be composed of three officers of experience in the aviation service and two medical officers, shall have examined him, under general regulations to be prescribed by the Secretary of War and published to the Army by the War Department, and shall have reported him to be qualified for the rating. No person shall receive the rating of military aviator until he shall have served creditably for three years as an aviation officer with the rating of a junior military aviator. *Sec. 13, Act of June 3, 1916 (39 Stat. 175).*

(For the preceding provision of this section see paragraph 879a.)

889p. Same—Rank and pay of.—Each aviation officer authorized by this Act shall, while on duty that requires him to participate regularly and frequently in aerial flights, receive an increase of twenty-five per centum in the pay of his grade and length of service under his commission. Each duly qualified junior military aviator shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his commission if his rank under said commission be not higher than that of captain, and while on duty requiring him to participate regularly and frequently in aerial flights he shall receive in addition an increase of fifty per centum in the pay of his grade and length of service under his commission. Each military aviator shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his commission if his rank under said commission be not higher than that of captain, and while on duty requiring him to participate regularly and frequently in aerial flights he shall receive in addition an increase of seventy-five per centum of the pay of his grade and length of service under his commission.¹ *Id.*

¹ Upon reference for opinion as to whether or not officers of the aviation section, Signal Officers' Reserve Corps, when assigned to duty requiring them to make regular and frequent aerial flights, are entitled to the extra pay authorized under section 13 of the national defense act, approved June 3, 1916.

Held, that as section 39 of the same act provides that Reserve Corps officers, when ordered "to duty with troops or at field exercises, or for instruction," when provision is made therefor, shall, while so serving, "receive the pay and allowances of their respective grades in the Regular Army," and as section 13 of said act specifically provides, with respect to aviation officers, that "each aviation officer authorized by this act shall, while on duty that requires him to participate regularly and frequently in aerial flights, receive an increase of twenty-five per centum in the pay of his grade and length of service under his commission," a Reserve Corps officer of the aviation section assigned to active duty requiring him to make regular and frequent aerial flights is entitled to receive the increased pay authorized for such duty, as such officer comes within the description, "each aviation officer authorized by this act." (War Dept. Bull. 18, April 6, 1917.)

Upon the question raised as to whether or not officers required to make regular and frequent aerial flights in balloons are entitled to extra pay authorized by section 13 of the national defense act of June 3, 1916:

Held, that such officers are entitled to the extra pay authorized by the statute; that the act of July 18, 1914 (38 Stat., 514), creating the aviation

889q. *Same—Increased pay and allowances authorized in Act of March second, nineteen hundred and thirteen, repealed.*—The provisions of the Act of March second, nineteen hundred and thirteen,¹ allowing increase of pay and allowances to officers detailed by the Secretary of War on aviation duty, are hereby repealed. *Id.*

889r. *Married officers of line of Army eligible for detail to aviation duty—Enlisted men of aviation section to be instructed in art of flying.*—Hereafter married officers of the line of the Army shall be eligible equally with unmarried officers and subject to the same conditions for detail to aviation duty; and the Secretary of War shall have authority to cause as many enlisted men of the aviation section to be instructed in the art of flying as he may deem necessary. *Id.*

889s. *Age of officers not a bar to original detail, and neither age nor rank a bar to subsequent details.*—Hereafter the age of officers shall not be a bar to their first detail in the aviation section of the Signal Corps, and neither their age nor their rank shall be a bar to their subsequent details in said section. *Id.*

889t. *Aviator, Signal Corps, appointment of qualified civilians as.*—When it shall be impracticable to obtain from the Army officers suitable for the aviation section of the Signal Corps in the number allowed by law, the difference between that number and the number of suitable officers actually available for duty in said section may be made up by appointments in the grade of aviator, Signal Corps, and that grade is hereby created. The personnel for said grade shall be obtained from especially qualified civilians who shall be appointed and commissioned in said grade. *Id.*

889u. *Same—Pay and provision for discharge of.*—Whenever any aviator shall have become unsatisfactory he shall be discharged from the Army as such aviator. The base pay of an aviator, Signal Corps, shall be \$150 per month, and he shall have the allowances of a master signal electrician and the same percentage of increase in pay for length of service as is allowed to a master signal electrician. *Id.*

(For the ensuing provision of this section see paragraph 890a.)

section and prescribing the duties of the same expressly charged that section with the duty "of operating or supervising the operation of all military aircraft, including balloons and aeroplanes"; that in authorizing the increase of pay to officers on duty requiring them "to participate regularly and frequently in aerial flights," the act made no distinction as to the kind of aerial craft; and that the national defense act, while dealing with the organization, compensation, etc., of the aviation section, leaves in force the provision of the act of July 18, 1914, prescribing the duties of that section, and, like the act of July 18, 1914, makes no distinction with respect to the character of aerial craft; but the law requires that the officer, while receiving this pay, shall be on duty requiring him to participate regularly and frequently in aerial flights, having regard to the nature of the craft in which such flights are taken; and this must be the real duty of the officer under his assignment. (War Dept. Bull. 23, May 7, 1917.)

¹ Paragraph 889, ante, or 37 Stat. 705.

ADVISORY COMMITTEE FOR AERONAUTICS.

889v. *Composition of.*—An Advisory Committee for Aeronautics is hereby established, and the President is authorized to appoint not to exceed twelve members, to consist of two members from the War Department, from the office in charge of military aeronautics; two members from the Navy Department, from the office in charge of naval aeronautics; a representative each of the Smithsonian Institution, of the United States Weather Bureau, and of the United States Bureau of Standards; together with not more than five additional persons who shall be acquainted with the needs of aeronautical science, either civil or military, or skilled in aeronautical engineering or its allied sciences. *Act of Mar. 3 1915 (38 Stat. 930).*

889w. *Same—No compensation for members.*—The members of the Advisory Committee for Aeronautics, as such, shall serve without compensation. *Id.*

889x. *Same—Duty to supervise research, etc.*—It shall be the duty of the Advisory Committee for Aeronautics to supervise and direct the scientific study of the problems of flight, with a view to their practical solution, and to determine the problems which should be experimentally attacked, and to discuss their solution and their application to practical questions. In the event of a laboratory or laboratories, either in whole or in part, being placed under the direction of the committee, the committee may direct and conduct research and experiment in aeronautics in such laboratory or laboratories. *Id.*

889y. *Same—Rules of conduct for.*—Rules and regulations for the conduct of the work of the committee shall be formulated by the committee and approved by the President. *Id.*

889z. *Same—Appropriation for experimental work, etc.*—The sum of \$5,000 a year, or so much thereof as may be necessary, for five years is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available, for experimental work and investigations undertaken by the committee, clerical expenses and supplies, and necessary expenses of members of the committee in going to, returning from, and while attending, meetings of the committee. *Id.*

889aa. *Same—Annual report to include itemized statement of expenditures.*—An annual report to the Congress shall be submitted through the President, including an itemized statement of expenditures. *Id.*

889bb. *Appropriation for purchase, manufacture, etc., of airships and other aerial machines for the Aviation Section.*—Not more than \$13,281,666 of the foregoing appropriation¹ shall be used for the

¹ The appropriation referred to is one of \$14,281,766 for the Signal Service of the Army.

purchase, manufacture, maintenance, operation, and repair of airships and other aerial machines and accessories necessary in the Aviation Section; and for the purchase, maintenance, repair, and operation of motor-propelled, passenger-carrying vehicles which may be necessary for the Aviation Section. *Act of Aug. 29, 1916 (39 Stat. 622).*

889cc. *Appropriation for payment of officers and enlisted men of the Aviation Section, Officers' Reserve Corps and Enlisted Reserve Corps, when called into active service.*—Of the sum last above mentioned \$900,000, or so much thereof as may be necessary, will be available for paying and otherwise providing for such officers of the Officers' Reserve Corps of the Aviation Section of the Signal Corps and such enlisted men of the Enlisted Reserve Corps of the Aviation Section of the Signal Corps as may be called into active service. *Id.*

889dd. *Appropriation for development of suitable type of aviation motor.*—Not to exceed \$50,000 of the above sum will be available for the payment of all expenses in connection with the development of a suitable type of aviation motor, under such regulations as the Secretary of War may prescribe. *Id.*

889ee. *Secretary of War to receive officers and enlisted men of Coast Guard for instruction in aviation at aviation schools.*—At the request of the Secretary of the Treasury the Secretaries of War and Navy are authorized to receive officers and enlisted men of the Coast Guard for instruction in aviation at any aviation school maintained by the Army and Navy, and such officers and enlisted men shall be subject to the regulations governing such schools. *Id.*, 601.

889ff. *Obtaining basic patents for manufacture and development of aircraft.*—To enable the Secretary of War and the Secretary of the Navy to secure by purchase, condemnation, donation, or otherwise, such basic patent or patents as they may consider necessary to the manufacture and development of aircraft in the United States and its dependencies, for governmental and civil purposes, under such regulations as the Secretary of War and the Secretary of the Navy may prescribe, \$1,000,000. *Act of Mar. 4, 1917 (39 Stat. 1169).*

889gg. *Same—Purchase arrangements advantageous to Government may be entered into.*—Such arrangements may be made in relation to the purchase of any basic patent connected with the manufacture and development of aircraft in the United States as in the judgment of the Secretary of War and the Secretary of the Navy will be of the greatest advantage to the Government and to the development of the industry. *Id.*

889hh. *Same—Bond to be required where validity of patents is in litigation.*—In the event there shall be pending in court litigation

involving the validity of said patent or patents, bond, with good and approved security in an amount sufficient to indemnify the United States, shall be required, payable to the United States, conditioned to repay to the United States the amount paid for said patent or patents in the event said patent or patents are finally adjudged invalid. *Id.*, 1170.

889ii. *Consolidation of balances of appropriation for National Advisory Committee for Aeronautics.*—The balances under the several items of the appropriation "National Advisory Committee for Aeronautics," carried in the Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and seventeen, approved August twenty-ninth, nineteen hundred and sixteen, are hereby consolidated into a single fund and may be expended by the committee for its purposes as stated in the paragraph of Public Act Numbered Two hundred and seventy-one, Sixty-third Congress, approved March third, nineteen hundred and fifteen, establishing the committee. *Id.*

889jj. *Increase in Aviation Section, ratings of aviation officers.*—Officers detailed in or attached to the aviation section of the Signal Corps may, when qualified therefor, be rated as junior military aviators, military aviators, junior military aeronauts, and military aeronauts, but no person shall be so rated until there shall have been issued to him a certificate to the effect that he is qualified for the rating, and no certificate shall be issued to any person until an examining board, which shall be composed of two officers of experience of the aviation section of the Signal Corps and one medical officer, shall have examined him under general regulations to be prescribed by the Secretary of War and published to the Army by the War Department, and shall have reported to him to be qualified for the rating.¹ *Sec. 6, Act of July 24, 1917 (40 Stat. 244).*

(For sections 1 and 2 of this act see paragraphs 879b–879e, ante, and for sections 3 and 4 see paragraphs 890d–890j, post.)

889kk. *Same—length of service for ratings of military aviator and military aeronaut; exception.*—No person shall receive the rating of military aviator or military aeronaut until he shall have served creditably for three years as an aviation officer with the rating of a

¹ Members of the Signal Officers' Reserve Corps promoted, appointed, detailed, or attached to the Aviation Section of the Signal Corps are, if they have the required experience, "officers of experience of the Aviation Section of the Signal Corps" qualified to be members of boards authorized to examine and certify to the qualifications of persons seeking the rating of aviators under section 6 of the act of July 24, 1917. (War Dept. Bull. 72, Dec. 24, 1917.)

An officer of the Regular Army, rated as a junior military aviator, resigned from the Army and was thereafter commissioned temporary captain in the Aviation Section of the Signal Corps. *Held*, that his rating before his resignation can not be continued, his appointment as temporary captain being from civil life. He must qualify as a junior military aviator under Section 6 of the Act of July 24, 1917. (Dig. Opin. J. A. G., January, 1918.)

junior military aviator or the rating of a junior military aeronaut, except that in time of war any officer or enlisted man who specially distinguishes himself in active service may, upon recommendation of the Chief Signal Officer of the Army, be rated as a junior military aviator, military aviator, junior military aeronaut, or military aeronaut without regard to examination or to length of service. *Id.*

889ll. *Same—Increase in rank and pay of aviation officers.*—Junior military aeronauts and military aeronauts shall be entitled to the same increase in rank and pay as are now authorized by law for junior military aviators and military aviators, respectively. *Id.*

889mm. *Same—Increased pay while on duty requiring aerial flights.*—Any officer attached to the aviation section of the Signal Corps for any military duty requiring him to make regular and frequent flights shall receive an increase of twenty-five per centum of the pay of his grade and length of service under his commission. *Id.*, 245.

889nn. *Rating of enlisted men in Aviation Section.*—The Secretary of War is authorized from time to time to cause such number of the enlisted men of the aviation section of the Signal Corps above the grade of corporal as he may deem necessary to be rated as aviation mechanics or as balloon mechanics in the manner now prescribed by law. *Sec. 7, id.*

889oo. *Same—Increase of pay.*—Balloon mechanics shall receive the same increase of pay as now prescribed by law for aviation mechanics. *Id.*

(For section 8 of this act see paragraphs 879h, 879i, ante.)

889pp. *Purchase, manufacture, etc., of airships, guns, equipment, buildings, etc.*—During the existing emergency authority is hereby given to the President, through the War Department, for the purchase, manufacture, maintenance, repair, and operation of airships and other aerial machines, including instruments and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, including guns, armament, ammunition, and all necessary spare parts and equipment connected therewith; and all necessary buildings for equipment and personnel in the Aviation Section and for the purchase, maintenance, repair, and operation, through the Chief Signal Officer of the Army, of all motor-propelled passenger and equipment carrying vehicles which may be necessary for the Aviation Section of the Signal Corps. *Sec. 9, id.*

889qq. *Same—Establishment of aviation stations, etc.*—During the existing emergency authority is hereby further given for the establishment, equipment, maintenance, and operation of aviation sta-

tions, including (a) the acquisition of land, or any interest in land, with any buildings and improvements thereon, by purchase, lease, donation, condemnation, or otherwise. *Id.*

889rr. *Public lands for temporary barracks, quarters, hospitals, and other buildings, etc.*—By order of the President any unappropriated or reserved public lands may be reserved from entry, designated, and used for such aviation stations; (b) the improvement of such land by clearing, grading, draining, seeding, and otherwise making the same suitable for the purpose intended; (c) the construction, maintenance, and repair of permanent or temporary barracks, quarters, hospitals, mess houses, administration, instructional and recreational buildings, hangars, magazines, storehouses, sheds, shops, garages, boathouses, docks, radio stations, laboratories, observation stations, and all other buildings and structures necessary or advisable; (d) procuring and introducing water, electric light and power, telephones, telegraph, and sewerage to aviation stations and buildings and structures thereon by the extension of existing systems or the creation of new systems and their maintenance, operation and repair, installation of plumbing, electric fixtures and telephones, fire apparatus and fire alarm systems and the maintenance, operation and repair of all such systems, fixtures and apparatus; (e) construction and repair of roads, walks, sea walls, breakwaters, bridges, and wharves, dredging, filling and otherwise improving land and water sites; (f) purchase of stoves and other cooking and heating apparatus, kitchen and tableware, and furniture and equipment for kitchens, mess halls, offices, quarters, barracks, hospitals, and other buildings, screens, lockers, refrigerators, and all other necessary equipment; (g) purchase of gasoline, oil, fuel, and all supplies of every kind and character necessary or advisable for maintenance and operation of aviation stations, including electric light and power, telephones, water supply and sewerage service; (h) purchase and manufacture and installation of all kinds of machinery, tools, material, supplies, and equipment for construction, maintenance, and repair of aircraft, buildings, and improvements at aviation stations, or property or appliances used in connection with aviation. *Id.*

(See paragraph 547c, ante, and 1274a-1274j, post.)

889ss. *Purchase, etc., of special clothing, apparel, and equipment.*—Also for the purchase or manufacture and issue of special clothing, wearing apparel, and similar equipment for aviation purposes. *Id.*, 246.

889tt. *Expenses of officers, etc., on special aviation duty at home and abroad.*—Also for the actual and necessary expenses of officers, enlisted men,¹ and civilian employees of the Army and authorized

¹ Groups of enlisted men transferred for purposes of instruction are to be regarded as not traveling with troops within the meaning of Section 9 of the Act

agents sent on special duty at home and abroad for aviation purposes, including observation and investigation of foreign military operations and organization, manufacture of aircraft, and engines. *Id.*

889uu. *Same—Special courses in foreign aviation schools and manufacturing establishments.*—Also special courses in foreign aviation schools and manufacturing establishments, to be paid upon certificates of the Secretary of War certifying that the expenditures were necessary for military purposes. *Id.*

(For the ensuing provisions of this section see paragraph 1293h, post, and 879j, 879k, ante.)

889vv. *Development of suitable types of aviation engines, etc.*—Also for the payment of all expenses in connection with the development of suitable types of aviation engines, airplanes, and other aircraft appurtenances, including the cost of sample engines, airplanes, and appurtenances, cost of any patents and other rights therein, and costs of investigation, experimentation, and research in respect thereto. *Id.*

889ww. *Plants, etc., for manufacture of airplanes, aircraft, engines, etc.*—Also for the payment of all expenses in connection with the creation, expansion, acquisition, and development of plants, factories, and establishments for the manufacture of airplanes, aircraft, engines, and appurtenances, including provision for the purchase or lease of land with the buildings thereon, construction of permanent or temporary buildings for all purposes, purchase of machinery, tools, and employment of operatives, together with all administrative expenses necessary, the purchase and supply of raw and semifinished materials and of fuel and all other things necessary for creating and extending the production of airplanes, aircraft, engines, and all appurtenances. *Id.*

889xx. *Instructions to aviation students at technical schools and colleges.*—Also for creating, maintaining, and operating at technical schools and colleges courses of instruction for aviation students, including cost of instruction, equipment, and supplies necessary for instruction and subsistence of students while receiving such instruction. *Id.*, 247.

(For the ensuing provision of this section see paragraph 1261c, post.)

889yy. *Mileage to officers and enlisted men of foreign armies serving with Aviation Section.*—During the present emergency, officers and enlisted men of foreign armies attached to the Aviation Section of the Signal Corps as instructors or inspectors when traveling in the United States on official business pertaining to the Aviation

of July 24, 1917, for the Temporary Increase of the Signal Corps; accordingly, the travel expenses in such cases are payable from the appropriation for the Aviation Section of the Signal Corps. (Dig. Opin. J. A. G., January, 1918.)

Section of the Signal Corps shall be authorized, from funds appropriated by this Act, the same mileage and transportation allowances as are authorized for officers or enlisted men of the Regular Army: *Id.*

889zz. *Appropriation for carrying into effect provisions of Act.*—For the purpose of carrying this Act into effect the sum of \$640,000,000 is hereby appropriated out of any funds in the Treasury not otherwise appropriated, to be available until June thirtieth, nineteen hundred and eighteen. *Sec. 10, id.*

AIRCRAFT BOARD.

889aaa. *Purpose for which created.*—For the purpose of expanding and coordinating the industrial activities relating to aircraft, or parts of aircraft, produced for any purpose in the United States, and to facilitate generally the development of air service, a board is hereby created, to be known as the Aircraft Board, hereinafter referred to as the board. *Sec. 1, Act of Oct. 1, 1917 (40 Stat. 296).*

889bbb. *Same—Composition of board and appointment of its chairman and civilian members.*—The board shall number not more than nine in all, and shall include a civilian chairman, the Chief Signal Officer of the Army, and two other officers of the Army, to be appointed by the Secretary of War; the Chief Constructor of the Navy and two other officers of the Navy, to be appointed by the Secretary of the Navy; and two additional civilian members. The chairman and civilian members shall be appointed by the President, by and with the advice and consent of the Senate. *Sec. 2, id.*

889ccc. *Same—Tenure of board and office of its members; compensation of civilian members.*—Said board and tenure of office of the members thereof shall continue during the pleasure of the President, but not longer than six months after the present war. The civilian members of the board shall serve without compensation. *Sec. 3, id.*

889ddd. *Same—Supervise and direct purchase, manufacture, etc., of aircraft, and equipment, etc.*—The board is hereby empowered, under the direction and control of and as authorized by the Secretary of War and the Secretary of the Navy, respectively, on behalf of the Departments of War and Navy, to supervise and direct, in accordance with the requirements prescribed or approved by the respective departments, the purchase, production, and manufacture of aircraft, engines, and all ordnance and instruments used in connection therewith, and accessories and materials therefor, including the purchase, lease, acquisition, or construction of plants for the manufacture of aircraft, engines, and accessories. *Sec. 4, id.*

889eee. *Same*—*May make recommendations as to contracts.*—The board may make recommendations as to contracts and their distribution in connection with the foregoing, but every contract shall be made by the already constituted authorities of the respective departments. *Id.*

889fff. *Same*—*Employment of clerks, technical experts, advisers, etc., pay of.*—The board is also empowered to employ, either in the District of Columbia or elsewhere, such clerks and other employees as may be necessary to the conduct of its business, including such technical experts and advisers as may be found necessary, and to fix their salaries. Such salaries shall conform to those usually paid by the Government for similar service: *Provided*, That by unanimous approval of the board higher compensation may be paid to technical experts and advisers. *Sec. 5, id.*

889ggg. *Same*—*Rent offices, purchase equipment and supplies, administrative expenses, etc., funds for.*—The board may rent suitable offices in the District of Columbia or elsewhere, purchase necessary office equipment and supplies, including scientific publications and printing, and may incur necessary administrative and contingent expenses, and for all of the expenses enumerated in this paragraph there shall be allotted by the Chief Signal Officer of the Army for the fiscal year nineteen hundred and seventeen and nineteen hundred and eighteen the sum of \$100,000, or so much thereof as shall be necessary, from any appropriation now existing for or hereinafter made to the Signal Corps of the Army, and such appropriation is hereby made available for these purposes. *Id.*

889hhh. *Same*—*Duplication of existing office or organization.*—Except upon the joint and concurrent approval of the Secretary of War and the Secretary of the Navy there shall not be established or maintained under the board any office or organization duplicating or replacing, in whole or in part, any office or organization now existing that can be properly established or maintained by appropriations made for or available for the military or naval services. *Id.*

889iii. *Same*—*Annual report to Congress of salaries paid to clerks and employees.*—A report shall be made to Congress on the first day of each regular session of the salaries paid from this appropriation to clerks and employees by grades, and the number in each such grade. *Id.*

890a. *Enlisted force, composition of.*—The total enlisted strength of the Signal Corps shall be limited and fixed from time to time by the President in accordance with the needs of the Army, and shall consist of master signal electricians; sergeants, first class; sergeants; corporals; cooks; horseshoers; private, first class; and privates; the number in each grade being fixed from time to time by the President.

The numbers in the various grades shall not exceed the following percentages of the total authorized enlisted strength of the Signal Corps, namely: Master signal electricians, two per centum; sergeants, first class, seven per centum; sergeants, ten per centum; corporals, twenty per centum. The number of privates, first class, shall not exceed twenty-five per centum of the number of privates. *Sec. 13, Act of June 3, 1916 (39 Stat. 176).*

(For the provision of this section immediately preceding this paragraph see paragraph 889u. For authorization for one thousand additional sergeants for detail from the Infantry, Cavalry, Field Artillery, Corps of Engineers, Coast Artillery Corps, Medical Department, and Signal Corps of the Regular Army, with corresponding organizations of the National Guard, to assist in the instruction of its personnel and the care of property, and the similar detail of one hundred additional sergeants with the disciplinary organizations at the United States Disciplinary Barracks, see paragraph 1332a.)

890b. Same—Organization of into companies, battalions, and aero squadrons.—Authority is hereby given the President to organize, in his discretion, such part of the commissioned and enlisted personnel of the Signal Corps into such number of companies, battalions, and aero squadrons as the necessities of the service may demand. *Id.*

890c. Same—May be mounted.—Enlisted men detailed for signal duty shall, when it is deemed necessary, be mounted on horses provided by the Government.¹ *Sec. 1197, R. S.*

890d. Increase in enlisted men by enlistment or draft.—To provide the additional enlisted men required by this Act, the President is authorized to raise and maintain, by voluntary enlistment or by draft, such number of enlisted men as he may deem necessary and to embody them into organizations hereinafter provided for in section four. *Sec. 3, Act of July 24, 1917 (40 Stat. 243).*

(For the preceding sections of this act see paragraphs 879b-879e, ante.)

890e. Same—Age limits for draft.—The draft herein provided for shall not apply to any person under the age of twenty-one years or to any person above the age of thirty-one years. *Id.*

890f. Same—Grades of chauffeur, first class, and chauffeur created.—The grades of chauffeur, first class, and chauffeur are hereby created in the Signal Corps. *Id., 244.*

890g. Same—Pay and allowances of chauffeurs.—The pay and allowances of a chauffeur, first class, shall be the same as a sergeant, first class, in the Signal Corps. Pay and allowances of a chauffeur shall be the same as a sergeant in the Signal Corps. *Id.*

¹ The enlisted men mentioned in this section were those detailed from the battalion of Engineers for signal duty under section 1196, R. S. The provision may be regarded as applicable to enlisted men of the Signal Corps as constituted under later statutes.

890h. *Same—Rank of chauffeurs.*—All chauffeurs while serving as such shall rank with corporals of the Signal Corps and shall be subject to promotion and reduction to any other grade now authorized in the Signal Corps. *Id.*

890i. *Organization into divisions, brigades, regiments, etc.*—The President is hereby authorized to appropriately officer and organize the personnel of the Signal Corps into such number of divisions, brigades, regiments, wings, squadrons, battalions, companies, and flights as may be necessary, and to increase or decrease the number of organizations prescribed for the divisions, brigades, regiments, wings, squadrons, battalions, companies, and flights, and to prescribe such new and different organizations and personnel for divisions, brigades, regiments, wings, squadrons, battalions, companies, and flights as the efficiency of the service may require. *Sec. 4, id.*

890j. *Same—Organization of headquarters and headquarters detachments.*—The President is further authorized to organize such headquarters and headquarters detachments for divisions, brigades, regiments, wings, squadrons, battalions, companies, and flights as may be necessary, and to prescribe new and different organizations for such headquarters and headquarters detachments whenever the efficiency of the service may require.¹ *Id.*

(For the ensuing section of this act see paragraphs 879f, 879g, ante.)

898a. *Collection of forwarding charges due connecting commercial or radio companies for transmission of Government business; vouchers and claims for.*—Hereafter the Signal Corps, in its operation of military telegraph lines, cables, or radio stations, is authorized, in the discretion of the Secretary of War, to collect forwarding charges due connecting commercial telegraph or radio companies for the transmission of Government radiograms or telegrams over their lines, and to this end, under such regulations as may be prescribed by the Secretary of War, it can present vouchers to disbursing officers for payment or file claims with auditors of the Treasury Department for the amount of such forwarding charges. *Act of May 12, 1917 (40 Stat. 43).*

901a. *Property returns to be made semiannually.*—The Act of Congress approved October twelfth, eighteen hundred and eighty-eight, entitled "An Act to make enlisted men of the Signal Corps responsible for public property," be amended so as to read that property returns of the Signal Corps shall be rendered semiannually or more

¹ Under the act of July 24, 1917, no authority is given to enlist men in the Signal Corps for musical purposes solely and on condition that they shall not be liable to or eligible for general military duty as soldiers. War Dept. Bull. 67, Nov. 30, 1917.)

often. *Act of Apr. 27, 1914 (38 Stat. 353), amending Act of Oct. 12, 1888 (25 Stat. 552).*

901b. *Settlement of accounts between other bureaus of War Department, etc., and the Signal Corps.*—Hereafter in the settlement of transactions between appropriations under the Signal Corps, or between the Signal Corps and another office or bureau of the War Department, or of any other executive department of the Government, payment therefor shall be made by the proper disbursing officer of the Signal Corps, or of the office, bureau, or department concerned. *Act of Aug. 29, 1916 (39 Stat. 622).*

CHAPTER XXIII.

CHAPLAINS.

	Par.		Par.
Chaplains, appointment of -----	902a	Chaplains, appointment of -----	902c
Same—Preference to be given to applicants who have been hon- orably discharged from the Army -----	902b	Chaplains at large, number -----	902d
		Same—Qualifications as to citi- zenship -----	902e

902a. *Chaplains, appointment of.*—The President is authorized to appoint, by and with the advice and consent of the Senate, chaplains in the Army at the rate of not to exceed, including chaplains now in service, one for each regiment of Cavalry, Infantry, Field Artillery, and Engineers, and one for each one thousand two hundred officers and men of the Coast Artillery Corps, with rank, pay, and allowances as now authorized by law. *Sec. 15, Act of June 3, 1916 (39 Stat. 176).*

902b. *Same—Preference to be given to applicants who have been honorably discharged from the Army.*—In appointment of chaplains in the Regular Army, preference and priority shall be given to applicant veterans, if otherwise duly qualified and who shall not have passed the age of forty-one years at the time of application, who have rendered honorable war service in the army of the United States or who have been honorably discharged from such Army. *Id.*

902c. *Chaplains, appointment of.*—The President is authorized to appoint, by and with the advice and consent of the Senate, chaplains in the Army at the rate of not to exceed, including chaplains now in service, one for each regiment of Cavalry, Infantry, Field Artillery, and Engineers, and one for each one thousand two hundred officers and men of the Coast Artillery Corps, with rank, pay, and allowances as now authorized by law. *Act of May 12, 1917 (40 Stat. 72) amending sec. 15, Act of June 3, 1916 (39 Stat. 176).*

902d. *Chaplains at large, number.*—The President may appoint for service during the present emergency not exceeding twenty chaplains at large for the United States Army representing religious sects not recognized in the apportionment of chaplains now recognized by law.¹ *Act of Oct. 6, 1917 (40 Stat. 394).*

902e. *Same—Qualifications as to citizenship.*—No person shall be eligible to such appointment unless he be at the time of his appointment a citizen of the United States. *Id.*

¹ First readers of the Christian Science Church are eligible to appointment as chaplains at large under the act of October 6, 1917, authorizing appointment from religious sects not recognized in the apportionment of chaplains now recognized by law. (War Dept. Bull. 67, Nov. 30, 1917.)

CHAPTER XXIV.

COMMISSIONED OFFICERS.

	Par.		Par.
Original appointments of second lieutenants, except cadet graduates, to be provisional	918a	Detached Officers' List	929a-929h
Officers appointed in Army in time of peace to be citizens of United States	918b	Creation of, for duty with the National Guard, etc	929a
Thanks of Congress tendered to certain officers of Army and Navy	927a	Details in the Aviation Section, Signal Corps	929a½
Promotion of certain officers of Army and Navy	927b	Same—Proportionate number authorized for each grade	929b
Same—Certain officers to be advanced one grade when placed on retired list	927c	Same—Vacancies caused by, above grade of second lieutenant, to be filled by promotion	929c
Same—Officers now on retired list to be immediately advanced one grade	927d	Same—Assignment of details from each arm	929d
Promotions authorized by section 2 of act to temporarily increase the grades	927e	Same—Manchu law to govern assignments to	929e
Medical officer promoted to be head of Medical Department, not governed by law as to details	927f	Same—Vacancies occurring after original assignment to list, filling of	929f
Same—Rank of major general to cease and determine when officer so promoted is retired	927g	Same—Assignment of constructive dates of original commission	929g
Promotions authorized not to retard promotion to which any officer is entitled under existing law	927h	Same—Senior officer in any grade according to constructive date of original commission to be considered senior in that grade	929h
Officers promoted to be junior to officers who now rank them when such officers reach same grade	927i	Cavalry increased by 17 colonels and Infantry by 4 colonels to equalize promotions	929i
Officers benefited by act entitled to retirement at any time on application at 75 per cent of pay of active rank	927j	Examination extended to promotion to all grades below that of brigadier general	930a
General officers of the line who were promoted for service in constructing the Panama Canal to take rank over officers of same grades hereafter appointed	927k	Same—Character of examination for grades of major and lieutenant colonel	930b
		Appointment from civil life, re-commissioning honorably discharged officers, lineal and relative rank	931a
		Loss of files on account of increase of arm, corps, or branch, due to suspension from promotion on failure to pass examination, allowance for	931b

	Par.		Par.
Transfer, with or without promotion, from one arm of the service to another in order to lessen inequalities in promotions	935a	Same—Officers hertofore transferred entitled to benefits of act	958e
Restrictions on details, etc., of officers and enlisted men of Regular Army suspended.....	938½a	Details for active duty, rank and pay of retired officers receiving	958f
Details in connection with Indian education.....	942a	List of and periodical examination of officers retired for disability with a view to assigning them to active duty.....	958g
Details to industrial training schools for Indian youth.....	942b	Officers retired for services in constructing Panama Canal, certain may be transferred to active list	958h
Sales of Army supplies, etc., to military schools.....	951a	Same—Rank, grade, and arm.....	958i
Same—Receipts to be credited to original appropriations.....	951b	Same—Examination for transfer and for promotion.....	958j
Sale or ordnance property to educational institutions and soldiers' and sailors' orphans' homes	951c	Same—After transfer, subsequent retirement only for age or disability	958k
Issue of ordnance and ordnance stores to Washington High School	953a	Employment of retired officers in time of war.....	961a
Issue of magazine rifles, etc., for target practice to clubs and schools.....	954a	Retired Army officers with certain Civil War service may be appointed and retired with increased rank	969a
Same—Regulations to be prescribed by Secretary of War.....	954b	Same—Advancement of brigadier general on the retired list, with certain Civil War service, one grade.....	969b
Issue of quartermaster stores, etc., to schools for maintenance of military instruction camps	954c	Same—Advancement of retired brigadier general who had certain Civil War service as senior colonel, etc.....	969c
Issue of targets and target materials, etc., to rifle clubs and schools	954d	Same—Advancement to grade of major general on retired list of retired officer who had certain Civil War service, etc.....	969d
Detail of enlisted men of Army as instructors in rifle practice to organized rifle clubs.....	954e	Same—Advancement of retired colonel one grade on retired list who had certain service in Indian campaigns, War with Spain, etc.....	969e
Issue of ammunition of old model to schools to which issue of artillery is authorized.....	955a	Retired officer assigned to active duty as post commander during movement of troops, pay and allowances of.....	975a
Target practice at educational institutions, etc.....	955b	Assignments to active duty as acting quartermasters	975b
Transfer of retired officers to active list.....	958a-958k	Longevity pay, computation to include details to active duty.....	975c
Under age of 50 years and not above grade of captain.....	958a	Retired officers who have served in Corps of Engineers, assignment to active duty....	975d
Same—Place to which transferred on active list.....	958b		
Same—Promotion after examination	958c		
Officers retired for physical disability, transfer to active list.....	958d		

918a. *Original appointments of second lieutenants, except cadet graduates, to be provisional.*—Hereafter all appointments of persons other than graduates of the United States Military Academy to the grade of second lieutenant in the Regular Army shall be provisional for a period of two years, at the close of which period such appointments shall be made permanent if the appointees shall have demonstrated, under such regulations as the President may prescribe, their suitability and moral, professional, and physical fitness for such permanent appointment, but should any appointee fail so to demonstrate his suitability and fitness, his appointment shall terminate; and should any officer become eligible for promotion to a vacancy in a higher grade and qualify therefor before the expiration of two years from the date of his original appointment, he shall receive a provisional appointment in such higher grade, which appointment shall be made permanent when he shall have qualified for permanent appointment upon the expiration of two years from the date of his original appointment, or shall terminate if he shall fail so to qualify.¹ *Sec. 23, Act of June 3, 1916 (39 Stat. 181).*

(For authorization for termination of provisional appointments because of lack of suitability and fitness for permanent appointments, see paragraph 331c¹, ante.)

918b. *Officers appointed in Army in time of peace to be citizens of United States.*—No part of the appropriations made in this Act shall be available for the salary or pay of any person hereafter, in time of peace, appointed an officer in the Army who is not a citizen of the United States.¹ *Act of Aug. 29, 1916 (39 Stat. 649).*

927a. *Thanks of Congress tendered to certain officers of Army and Navy.*—The thanks of Congress are hereby extended to the following officers of the Army and Navy of the United States who, as members of the late Isthmian Canal Commission, have rendered dis-

¹ The discharge of a provisional second lieutenant after six months' service as such was asked on the ground that he lacked the mentality requisite for an officer and had demonstrated that he could never reach the standard that should be required of an officer; thus presenting the question whether the provisional appointment of a second lieutenant might be terminated on account of failure to demonstrate suitability and fitness for permanent appointment prior to the termination of the two years mentioned in section 23 of the national defense act.

Held, that the word "provisional" occurring in that portion of section 23 of the national defense act relates only to the alternative action permitted at the end of the period designated and carries no authority to terminate the appointment within that period; that the terms of the section plainly allow to the provisional appointee a period of two years in which to acquire and demonstrate suitability and fitness; and that during that period the provisional appointee may be removed from office only by the same means by which a permanent officer may be removed. (War. Dept. Bull. 26, May 7, 1917.)

¹ *Held*, that this does not repeal the provisions of existing law authorizing the appointment of native Filipinos as officers of Philippine Scouts, and of native citizens of Porto Rico as officers in the Porto Rico regiment. (War Department Bulletin No. 28, Aug. 13, 1916).

tinguished service in constructing the Panama Canal, to wit: Colonel George W. Goethals, chairman and chief engineer; Brigadier General William C. Gorgas, sanitary expert; Colonel H. F. Hodges, Lieutenant Colonel William L. Sibert, and Commander H. H. Rousseau. *Sec. 1, Act of Mar. 4, 1915 (38 Stat. 1190).*

927b. *Promotion of certain officers of Army and Navy.*—The President is hereby authorized, by and with the advice and consent of the Senate, to advance in rank Colonel George W. Goethals to the grade of major general of the line, United States Army; Brigadier General William C. Gorgas to the rank of major general in the Medical Department, United States Army; Colonel H. F. Hodges and Lieutenant Colonel William L. Sibert to the grade of brigadier general of the line, United States Army; and Commander H. H. Rousseau to the grade of rear admiral of the lower Nine, United States Navy. *Sec. 2, id. 1191.*

927c. *Same—Certain officers to be advanced one grade when placed on retired list.*—Such officers of the Army and Navy as were detailed for duty with the Isthmian Canal Commission on the Isthmus of Panama for more than three years, and who shall not have been advanced in rank by any other provisions of this bill, shall be advanced one grade in rank upon retirement. *Sec. 3, id.*

927d. *Same—Officers now on retired list to be immediately advanced one grade.*—Any officer of the Army or Navy now on the retired list with similar service shall be immediately advanced one grade in rank on the retired list of the Army or Navy. *Id.*

927e. *Promotions authorized by section 2 of Act to temporarily increase the grades.*—The numbers in such grades provided for in sections two and four¹ of this Act, except where vacancies occurring in any grade by the provisions of this Act can be filled by such officers in a lower grade as are entitled to the benefits of this Act, shall be temporarily increased during the time such offices may be held. *Sec. 5, id.*

927f. *Medical officer promoted to be head of Medical Department, not governed by law as to details.*—The officer who may be advanced and appointed major general in the Medical Department, United States Army, shall thereupon become the head of such department, and the operation of so much of section twenty-six of the Act of February second, nineteen hundred and one, as limits the term of office of the head of the Medical Department, United States Army, shall be suspended during the incumbency of the head of the department who may be appointed under this Act. *Id.*

¹Sec. 4, authorizes the President to promote certain officers of the Public Health Service and is omitted from this compilation.

927g. *Same—Rank of major general to cease and determine when officer so promoted is retired.*—Whenever the head of the Medical Department appointed under the provisions of this Act shall become separated from the active list of the Army, by retirement or otherwise, the extra office or grade to which he shall have been so advanced or appointed shall cease and determine, and thereafter the rank of the head of the Medical Department, United States Army, shall be that of a brigadier general. *Id.*

927h. *Promotions authorized not to retard promotion to which any officer is entitled under existing law.*—Nothing in this Act shall operate to interfere with or retard the promotion to which any officer would be entitled under existing law. *Id.*

927i. *Officers promoted to be junior to officers who now rank them when such officers reach same grade.*—The officers advanced to higher grades under this Act shall be junior to the officers who now rank them under existing law when these officers have reached the same grade. *Id.*

927j. *Officers benefited by Act entitled to retirement at any time on application of seventy-five per centum of pay of active rank.*—At any time after the passage of this Act any officer of the Army or Navy to be benefited by the provisions of this Act may, on his own application, be retired by the President at seventy-five per centum of the pay of the rank upon which he is retired. *Sec. 6, id.*

(See paragraphs 958i-958k, post.)

927k. *General officers of the line who were promoted for service in constructing the Panama Canal to take rank over officers of same grades hereafter appointed.*—The general officers of the line who were appointed as such pursuant to the Act of March fourth, nineteen hundred and fifteen (Thirty-eighth Statutes at Large, page eleven hundred and ninety-one), shall take rank in their present grades over all officers hereafter appointed to like grades. *Act of Aug. 29, 1916 (39 Stat. 623).*

DETACHED OFFICERS' LIST.

929a. *Creation of, for duty with the National Guard, etc.*—On July first, nineteen hundred and sixteen, the line of the Army shall be increased by eight hundred and twenty-two extra officers of the Cavalry, Field Artillery, Coast Artillery Corps, and Infantry arms of the service, of grades from first lieutenant to colonel, inclusive, lawfully available for detachment from their proper arms for duty with the National Guard, or other duty, the usual period of which exceeds one year. Said extra officers, together with the two hundred detached officers provided for by the Act of Congress approved March

third, nineteen hundred and eleven,¹ shall, on and after July first, nineteen hundred and sixteen, constitute the Detached Officers' List, and all positions vacated by officers assigned to said list, and the officers so assigned shall be subject to the provisions of section twenty-seven of the Act of Congress approved February second, nineteen hundred and one, with reference to details to the staff corps. *Sec. 25, Act of June 3, 1916 (39 Stat. 183).*

929a₁. *Details in the Aviation Section, Signal Corps.*—Hereafter nothing in section twenty-five of the National Defense Act of June third, nineteen hundred and sixteen, shall be held to prevent the detail of an officer in the aviation section of the Signal Corps. *Act of May 12, 1917 (40 Stat. 43).*

929b. *Same—Proportionate number authorized for each grade.*—The total number of officers hereby authorized for each grade on said list entire shall be in proportion to the total number of officers of the corresponding grade now authorized by law other than this Act for all of the said four arms combined, exclusive of second lieutenants and of the two hundred extra officers authorized by the Act of Congress approved March third, nineteen hundred and eleven,¹ and exclusive also of the additional officers authorized by the Act to restore lineal rank lost through the system of regimental promotion formerly in force; and the total number of officers hereby authorized for each grade in each of said arms on said list shall be in the proportion borne by the number of officers now authorized by law other than this Act for such grade and arm to the total number of officers now authorized by law other than this Act for the corresponding grade in all of the said four arms combined, exclusive of the extra and additional officers last hereinbefore specified and excluded. *Sec. 25, Act of June 3, 1916 (39 Stat. 183).*

(See paragraph 929f.)

929c. *Same—Vacancies caused by, above grade of second lieutenant, to be filled by promotion.*—All vacancies created or caused by the foregoing provisions of this section in grades above that of second lieutenant shall be filled by promotion according to law existing on and before the date of approval of this Act, and subject to the examinations prescribed by existing law. *Id.*

929d. *Same—Assignment of details from each arm.*—As soon as practicable after such promotions shall have been made, there shall be detached from each arm and assigned to the Detached Officers' List a number of officers of each grade equal to the number of officers of said grade by which said arm shall have been increased by the foregoing provisions of this section; and thereafter any vacancy created or caused in any of the said arms of the service by the assign-

¹ Paragraph 929, ante, or 36 Stat. 1058.

ment of an officer of any grade to said Detached Officers' List shall be filled, subject to such examination as is now or may hereafter be prescribed by law, by the promotion of the officer who shall be the senior in length of commissioned service of those eligible to promotion in the next lower grade in the arm in which such vacancy shall occur. *Id.*

929e. *Same—Manchu law to govern assignments to.*—No officer of any of said arms of the service shall be permitted to remain on said Detached Officers' List for more than forty-five days unless he shall have been actually present for duty for at least two years out of the last preceding six years with an organization composed of one or more statutory units, or the equivalent thereof, of the arm to which he shall belong. Any vacancy created in said list by the removal of any officer therefrom because he shall not have been present for duty as before prescribed in this proviso shall be filled by the transfer to said list of an officer having the same grade and belonging to the same arm as the officer whose removal from said list shall have created said vacancy; but, except as before prescribed in this proviso, all officers who shall have been assigned to said list shall remain thereon for not less than four years from the respective dates of their assignment thereto, unless in the meantime they shall have been separated entirely from the Army, or shall have been promoted or appointed to higher offices, or shall have been retired from active service.¹ *Id.*

929f. *Same—Vacancies occurring after original assignment to list, filling of.*—After the apportionment of officers to said Detached Officers' List shall have been made as authorized by this Act, whenever any vacancy shall have been caused in said list by the separation of an officer of any grade therefrom, such vacancy shall, except as prescribed in the last preceding proviso, be filled by the detail and assignment to said list of an officer of the corresponding grade in that arm in which there shall be found the officer of the next lower grade who at that time shall be the senior in length of commissioned service of all the officers of the said lower grade in all of the four arms hereinbefore specified; if two or more officers of different arms shall

¹ *Held*, that while an officer's name must be removed from the Detached Officers' List when he has not had certain service with troops, it can not otherwise be removed from that list (except on account of retirement, separation from service, etc.), until it has been thereon for at least four years; therefore an officers's name may not be removed from the Detached Officers' List for the purpose of detailing him to the General Staff Corps for the reason that while officers may, pursuant to various provisions of law, be transferred from one position to another, as from line to staff and vice versa, or from line to Detached Officers' List and vice versa, it is clear that one officer may not hold two positions at the same time, thus: An officer may not occupy a position in the line and one in the staff at the same time; neither may he occupy a position on the Detached Officers' List and one in the staff or line at the same time. (War Dept. Bull. 57, Dec. 22, 1916.)

be found to have equal seniority in length of commissioned service in said lower grade, the question of seniority shall be decided by their relative standing on the list of the commissioned officers of the Army. *Id.*

(For the next provision of this section see paragraph 929i; see also paragraph 929h.)

929g. *Same—Assignment of constructive dates of original commission.*—In applying section twenty-five of the national defense Act approved June third, nineteen hundred and sixteen, the President shall assign to officers of the Army such constructive dates of original commission, from which lengths of commissioned service shall be computed, as will preserve their rights to promotion in accordance with their relative order on the lineal lists of their arms and continue in effect losses of files occasioned by sentences of courts-martial or failures to pass required examinations for promotion, said constructive dates of original commission to be subject to change whenever a change thereof may be necessary in order to carry into effect losses of files hereafter incurred by any officer through a sentence of court-martial or a failure to pass a required examination for promotion. *Act of Aug. 29, 1916 (39 Stat. 623).*

(See paragraph 929a.)

929h. *Same—Senior officer in any grade according to constructive date of original commission to be considered senior in that grade.*—In determining the arm from which a detail is to be made to a vacancy in the detached officers' list, as provided in the third proviso of section twenty-five of the national defense Act approved June third, nineteen hundred and sixteen, the officer of any grade who is the senior in that grade according to the constructive dates of original commission provided for in the preceding proviso shall be considered the senior in length of commissioned service of all officers of that grade. *Id.*

(See paragraph 929f.)

929i. *Cavalry increased by seventeen colonels and Infantry by four colonels to equalize promotions.*—With a view further to equalize inequalities in past promotions of officers of the line of the Army, on July first, nineteen hundred and sixteen, the Cavalry shall be increased by seventeen colonels, and the Infantry by four colonels, all of whom shall be additional officers in that grade, and shall not bar nor retard the promotion to which any officer would be entitled if the appointment of the said additional officers had never been authorized; and after July first, nineteen hundred and nineteen, no vacancies occurring among the said additional officers shall be filled

and the offices so vacated shall cease and determine. *Sec. 25, act of June 3, 1916 (39 Stat. 184).*

(For the provision of this section immediately preceding this paragraph see paragraph 929f, and for the ensuing provision see paragraph 935a. For the number of regiments of Cavalry and Infantry see paragraph 331a; for the organization of a Cavalry regiment see paragraph 1071a; and for the organization of an Infantry regiment see paragraph 1095a.)

930a. *Examinations extended to promotions to all grades below that of brigadier general.*—The provisions of existing law requiring examinations to determine fitness for promotion of officers of the Army are hereby extended to include promotions to all grades below that of brigadier general. *Sec. 24, Id. 183.*

(For the provision of this section immediately preceding this paragraph see paragraph 931a.)

930b. *Same—Character of examination for grades of major and lieutenant colonel.*—Examinations of officers in the grades of major and lieutenant colonel shall be confined to problems involving the higher functions of staff duties and command. *Id.*

931a. *Appointment from civil life, recommissioning honorably discharged officers, lineal and relative rank of.*—The President may recommission persons who have heretofore held commissions in the Regular Army and have left the service honorably, after ascertaining that they are qualified for service physically, morally, and as to age and military fitness; such recommissioned officers shall take rank at the foot of the respective grades which they held at the time of their separation from the Army.¹ *Id.*

(For the provision of this section immediately preceding this paragraph see paragraph 331g, and for the ensuing provision see paragraph 930a.)

931b. *Loss of files on account of increase of arm, corps, or branch, due to suspension from promotion on failure to pass examination, allowance for.*—When by reason of increase in the arm, corps, or

¹ *Held*, that this provision creates no new office, and that a former officer can only be recommissioned thereunder to fill an existing vacancy. (64-213.2, J. A. G., June 20, 1916.) *Held, further*, that this provision relates exclusively to persons who are not a part of the Army and does not apply to officers on the retired list. (88-110, J. A. G., May 27, 1916.) Also held, that one who prior to the passage of the national-defense act had honorably resigned from the Medical Corps while a captain my, though he be over 30 years of age, be recommissioned (that is, reappointed) in said corps under the above provisions of section 24 of that act, without regard to the requirement of section 10 thereof that persons hereafter commissioned in the Medical Corps shall be between the ages of 22 and 30 years, the latter provision, in respect of age at least, being applicable to original appointments as first lieutenants in said corps.

Inquiry was made whether an ex-officer who had been discharged for failure to pass an examination for promotion, under the act of October 1, 1890 (26 Stat., 562), could be recommissioned under section 24, *supra*.

Held, that, since section 24 requires "military fitness," and since an officer discharged under the act of 1890 has had his military fitness tested in the most complete manner possible, section 24 does not contemplate or authorize the recommission of such ex-officer. (War Dept. Bull. 15, Mar. 24, 1917.)

branch of the service in which an officer is commissioned his loss of files in lineal rank due to suspension from promotion on account of failure to pass the required examination therefor exceeds the loss he would have sustained if no such increase had occurred, he shall, if promoted upon reexamination, be advanced to the position he would have occupied in the grade to which promoted had no increase occurred. *Act of Aug. 29, 1916 (39 Stat. 623.)*

935a. *Transfer, with or without promotion, from one arm of the service to another in order to lessen inequalities in promotions.*—For the purpose of lessening as much as possible inequalities of promotion due to the increase in the number of officers of the line of the Army under the provisions of this Act, any vacancies created or caused by this Act in commissioned grades below that of lieutenant colonel in any arm of said line may, in the discretion of the President and under such regulations as he may prescribe in furtherance of the purpose stated in this proviso, be filled by the promotion or transfer without promotion of officers of other branches of the line of the Army; but no such promotion or transfer shall be made in the case of any officer unless it shall have been recommended by an examining board composed of five officers, senior in rank to such officer, and of the arm to which the promotion or transfer of such officer shall have been proposed, who, after having made a personal examination¹ of such officer and of his official record, shall have reported him qualified for service in said arm in the grade to which his promotion or transfer shall have been proposed.² *Sec. 25, Act of June 3, 1916 (39 Stat. 185).*

(See par. 929i for increase of 17 colonels of Cavalry and 4 colonels of Infantry to equalize inequalities in past promotions of officers of the line of the Army; see also pars. 829a, 929b, 929c, 929d, 929e, 929f, and 929i for the preceding provisions of this section.)

¹ On the question whether section 25 of the national-defense act of June 3, 1916, in prescribing a "personal examination" by the examining board "of such officer and of his official record," requires the bodily presence of the officer before the board, it being pointed out that such interpretation would involve in many cases extensive journeys at very great expense,

Held, that the word "personal" may be used either subjectively or objectively; that, with reference to the official record, the word is evidently used subjectively and relates to the board, and that if the word is so construed with reference to the officer it would not require the bodily presence of the candidate. As the meaning of the term is doubtful, in deference to the rule that where the language is doubtful a construction which gives it reasonable effect is preferred to one which results in very great inconvenience (*United States v. Fisher*, 2 Cranch, 286), the statute in this case should be construed so as not to require a candidate to appear in person before the board which makes recommendations as to his transfer. (War Dept. Bull. 18, Apr. 6, 1917.)

² On the question whether or not an officer of the line of the Army may be transferred to the Corps of Engineers under section 25 of the national-defense act of June 3, 1916, authorizing the transfer between branches of the line of the Army for the purpose of lessening inequalities of promotion due to increases under said act,

Held, that such transfer is not authorized. While engineer officers serving with engineer troops are a part of the line of the Army, section 22 of the act of February 2, 1901, prescribing that "the enlisted force of the Corps of Engineers

938½a. Restrictions on details, etc., of officers and enlisted men of Regular Army suspended.—All existing restrictions upon the detail, detachment, and employment of officers and enlisted men of the Regular Army are hereby suspended for the period of the present emergency. *Sec. 11, Act of May 18, 1917 (40 Stat. 82).*

(For the preceding section of this act see pars. 1663, 695b, 695c, and for the ensuing section see pars. 1295a–1295d.)

942a. Details in connection with Indian education.—The Secretary of War shall be authorized to detail an officer of the Army, not above the rank of Captain, for special duty with reference to Indian education. *Sec. 7, Act of June 23, 1879 (21 Stat. 35).*

and the officers serving therewith shall constitute a part of the line of the Army," they hold their offices in the Corps of Engineers and are merely detailed on duty with troops; that such vacancies as may be said to occur in the commissioned personnel of troop organizations are not filled by appointment to office but by the detail of a person holding office in the Corps of Engineers; and that the transfer of a line officer to the Corps of Engineers would not fill a vacant office in the line, but would fill a vacant office in a staff corps. (Id.)

Upon the question whether an officer transferred to another arm under the provisions of section 25 of the national-defense act subsequent to May 15, 1917, would be given a place on the lineal list of that arm determined by his relative rank on the passage of the bill June 3, 1916, or determined by his relative rank at the date of his actual transfer,

Held, that the purpose of the fifth proviso of section 25 of the national-defense act is limited to lessening inequalities of promotion due to the increase in the number of officers of the line of the Army under the provisions of the national-defense act; that the only inequalities of promotion which could result from the addition of officers would be inequalities between arms, and not inequalities between individuals within either of the arms; that the purpose of the statute, therefore, is to authorize transfer from the arm receiving the smaller increase to the arm receiving the larger increase, thus increasing the promotion in one arm and at the same time decreasing it in the other, and so producing an equality or a nearer approach thereto. Therefore, the statute does not address itself to equalizing or benefiting the persons transferred. Equity dictates, however, that the regulations made by the President for such transfer shall be equity to officers transferred. This has been done by prescribing that the officer transferred shall retain his relative rank at the date of the transfer. The increases authorized by the national-defense act were by the act itself divided into increments, and it is but a logical conclusion that each increment should constitute a separate and distinct addition to the Regular Army, except when two or more are added at the same time, as has been those on May 15, 1917. When the first increment was added, certain vacancies which were thereby caused or created on July 1, 1916, were reserved for officers who were to be transferred when their eligibility should be determined. There was, therefore, nothing in the way of assigning to those officers when transferred constructive dates of transfer corresponding with the vacancies which existed on the dates constructively adopted and were reserved for those officers. All vacancies to which transfers might be made which were created or caused by the first increment have now been filled, and there are therefore no vacancies created or caused by that increment to which the transfer of an officer can relate back in fixing a constructive date of transfer. Therefore, officers now transferred to another arm under the proviso quoted must take the relative rank which they had when the vacancies to which they are transferred occurred, there being no authority of law for disturbing, in order to benefit officers transferred to vacancies created by other increments, the relative rank established by the completion of the first increment. A disturbance of the relative rank established by the completion of the first increment would not lessen the inequalities of promotion due to the increase in the number of officers of the line of the Army as defined above, and therefore would not come within the purpose or authority of the national-defense act. (War. Dept. Bull. 49, Aug. 22, 1917.)

942b. *Details to industrial-training schools for Indian youth.*—The Secretary of War be, and he is hereby, authorized to set aside, for use in the establishment of normal and industrial training schools for Indian youth from the nomadic tribes having educational treaty claims upon the United States, any vacant posts or barracks, so long as they may not be required for military occupation, and to detail one or more officers of the Army for duty in connection with Indian education, under the direction of the Secretary of the Interior, at each such school so established. *Act of July 31, 1882 (22 Stat. 181).*

951a. *Sales of Army supplies, etc., to military schools.*—Under such regulations as the Secretary of War may prescribe, educational institutions to which an officer of the Army is detailed as professor of military science and tactics may purchase from the War Department for cash, for the use of their military students, such stores, supplies, matériel of war, and military publications as are furnished to the Army, such sales to be at the price listed to the Army with the cost of transportation added. *Act of July 17, 1914 (38 Stat. 512).*

951b. *Same—Receipts to be credited to original appropriations.*—All moneys received from the sale of stores, supplies, matériel of war, and military publications to educational institutions to which an officer of the Army is detailed as professor of military science and tactics shall, respectively, revert to that appropriation out of which they were originally expended and shall be applied to the purposes for which they are appropriated by law. *Id.*

951c. *Sales of ordnance property to educational institutions and soldiers' and sailors' orphans' homes.*—Sales of articles of ordnance property are authorized to educational institutions and State soldiers' and sailors' orphans' homes for maintaining the ordnance and ordnance stores issued to them. *Act of May 11, 1908 (35 Stat. 125).*

953a. *Issue of ordnance and ordnance stores to Washington High School.*—The Secretary of War is authorized to issue, at his discretion and under proper regulations to be prescribed by him, out of ordnance and ordnance stores belonging to the Government and which can be spared for that purpose, such as may appear to be required for military instruction and practice by the students of the High School of Washington, District of Columbia, and the Secretary shall require a bond in each case, in double the value of the property, for the care and safe-keeping thereof and for the return of the same when required. *Joint Res. No. 9 of Feb. 5, 1891 (26 Stat. 1113).*

954a. *Issue of magazine rifles, etc., for target practice, to clubs and schools.*—The Secretary of War is hereby authorized to issue, without expense to the United States, for use in target practice, United States magazine rifles and appendages therefor not of the existing service model and not necessary for the maintenance of a proper reserve supply, together with forty rounds of ball cartridges suitable to said

arm, for each range at which target practice is had, not to exceed a total of one hundred and twenty rounds per year per man participating in target practice, to rifle clubs organized under the rules of the National Board for the Promotion of Rifle Practice and to schools having a uniformed corps of cadets and carrying on military training, in sufficient number for the conduct of proper target practice. *Act of Apr. 27, 1914 (38 Stat. 370).*

954b. *Same—Regulations to be prescribed by Secretary of War.*—Issues of public property under this provision shall be made in compliance with regulations prescribed by the Secretary of War insuring the designed use of the property issued, providing against loss to the United States through lack of proper care, and for the return of the property when required, and embodying such other requirements as he may consider necessary adequately to safeguard the interests of the United States. *Id.*

954c. *Issue of quartermaster stores, etc., to schools for maintenance of military instruction camps.*—The Secretary of War is authorized to issue, at his discretion and under such regulations as he may prescribe, such quartermaster supplies and stores belonging to the Government, and which can be spared for that purpose, as may appear to be required for the establishment and maintenance of military instruction camps by the students of any educational institution to which an officer of the Army is detailed as professor of military science and tactics; and the Secretary of War shall require a bond in each case in the value of the property for the care and safekeeping thereof and for the return of the same when required. *Act of May 18, 1916 (39 Stat. 123).*

954d. *Issue of targets and target materials, etc., to rifle clubs and schools.*—The Secretary of War is hereby authorized to issue, under such rules and regulations as he may prescribe, for use in target practice, targets, target materials, and other necessary accessories, to rifle clubs organized under the rules of the National Board for the Promotion of Rifle Practice and to schools having a uniformed corps of cadets and carrying on military training, in sufficient number for the proper conduct of target practice. *Act of Aug. 29, 1916 (39 Stat. 643).*

954e. *Detail of enlisted men of Army as instructors in rifle practice to organized rifle clubs.*—The Secretary of War, in his discretion, and under such regulations as he may prescribe, may authorize the detail of enlisted men of the Army as temporary instructors in rifle practice to organized rifle clubs requesting such instruction. *Act of May 12, 1917 (40 Stat. 64).*

955a. *Issue of ammunition of old model to schools to which issue of artillery is authorized.*—Hereafter ammunition of older model

than current may be issued for the instruction in target practice of students at the institutions to which the issue of artillery is authorized to the value of not more than five thousand dollars of original cost in any one year. *Act of Mar. 3, 1909 (35 Stat. 730).*

955b. *Target practice at educational institutions, etc.*—For manufacture of ammunition, targets, and other accessories for small-arms and machine-gun target practice and instruction; marksmen's medals, prize arms, and insignia for all arms of the service; and ammunition, targets, target materials, and other accessories may be issued for small-arms target practice and instruction at the educational institutions and State soldiers' and sailors' orphans' homes to which issues of small arms are lawfully made, under such regulations as the Secretary of War may prescribe, provided the total value of the stores so issued to the educational institutions and homes does not exceed \$30,000¹ * * *. *Act of Mar. 4, 1915 (38 Stat. 1082).*

TRANSFER OF RETIRED OFFICERS TO ACTIVE LIST.

958a. *Under age of fifty years, and not above grade of captain.*—Hereafter the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to transfer to the active list of the Army any officer under fifty years of age and with rank not above that of captain who may have been transferred heretofore or who may be transferred hereafter for physical disability from the active to the retired list of the Army by the action of any retiring board. *Act of Mar. 4, 1915 (38 Stat. 1068).*

958b. *Same—Place to which transferred on active list.*—Such officer shall be transferred to the place on the active list which he would have had if he had not been retired, and shall be carried as an additional number in the grade to which he may be transferred or at any time thereafter promoted.¹ *Id.*

958c. *Same—Promotion after examination.*—Such officer shall stand a satisfactory medical and professional examination for promotion as now provided for by law. *Id.*

¹ Similar provision in act of April 27, 1914 (38 Stat. 370).

¹A retired officer of the Army in the grade of first lieutenant was transferred to the active list March 22, 1917, "with the rank of captain of Infantry from July 1, 1916," under the provisions of the act approved March 4, 1915 (38 Stat., 1068), which authorizes the transfer of retired officers to the place on the active list which they would have had had they not been retired. The officer duly accepted his commission as captain, and thereupon the question was presented whether he was entitled to the difference in pay between the grades of first lieutenant and captain commencing July 1, 1916, the time from which his rank as captain dated under the order transferring him to the active list.

Held, that the date when the officer accepted his commission as captain, and thereby became invested with the office, was the date when the pay as captain commenced, and not before, since the rate of pay is attached to the office and not to the rank which the officer has.

(Comp. of the Treas., May 3, 1917. War Dept. Bull. 34, June 8, 1917.)

958d. *Officers retired for physical disability, transfer to active list.*—The President be, and he is hereby, authorized within two years¹ of the approval of this act, by and with the advice and consent of the Senate, to transfer to the active list of the Army any officer who may have been transferred heretofore for physical disability from the active to the retired list of the Army by the action of any retiring board. *Id.*

958e. *Same—Officers heretofore transferred entitled to benefits of Act.*—Any officer who may have already been transferred from the retired list to the active list shall receive the benefits of this act. *Id.* 1069.

958f. *Details for active duty, rank and pay of retired officers receiving.*—Hereafter any retired officer, who has been or shall be detailed on active duty, shall receive the rank, pay, and allowances of the grade, not above that of major, that he would have attained in due course of promotion if he had remained on the active list for a period beyond the date of his retirement equal to the total amount of time during which he has been detailed on active duty since his retirement.² *Sec. 24, Act of June 3, 1916 (39 Stat. 183).*

(For provision of this section immediately preceding this paragraph see paragraph 961a. In determining rights of officers under this paragraph, see paragraph 1084a for provision that officers retired before the separation of the Field Artillery from the Coast Artillery shall be regarded as having belonged to the Field Artillery.)

958g. *List of and periodical examination of officers retired for disability with a view to assigning them to active duty.*—The Secretary of War shall make a list of all officers of the Army who have been placed on the retired list for disability and shall cause such officers to be examined at intervals as may be advisable, and such officers as shall be found to have recovered from such disabilities or to be able to perform service of value to the Government sufficient to warrant such action shall be assigned to such duty as the Secretary of War may approve. *Act of Aug. 29, 1916 (39 Stat. 629).*

¹ See 958b as to place to be occupied on active list and 958c as to examination prior to promotion.

² *Held*, that the act of June 3, 1916, does not expressly, or by necessary implication, repeal or modify any part of the act of March 2, 1903, and that as the latter act expressly provides that time after retirement shall not be counted for longevity purposes, officers coming within the provision in question of the act of June 3, 1916, are not entitled to any higher pay in the grade that they would have attained in due course of promotion if they had remained on the active list than the pay of such higher grade computed on the length of their service at the time of their retirement.

(Comp. Treas., July 28, 1916. War Dept. Bull. 28, 1916.)

Held, that service of a retired officer under a commission in the Volunteers during the Spanish-American War could not be counted for the purpose of advancement in grade under section 24 of the national defense act, last sentence, which applies only to officers "detailed to active duty." (War Dept. Bull. 39, Oct. 6, 1916.)

958h. *Officers retired for services in constructing Panama Canal, certain may be transferred to active list.*—Hereafter the President be, and he is hereby, authorized, within one year of the approval of this Act, by and with the advice and consent of the Senate, to transfer, upon application, to the active list of the Army any officer under fifty years of age who may have been transferred heretofore from the active to the retired list of the Army under the Act to provide for recognizing the services of certain officers of the Army, Navy, and Public Health Service for their services in connection with the construction of the Panama Canal, and for other purposes, approved March fourth, nineteen hundred and fifteen.¹ *Act of Feb. 23, 1917 (39 Stat. 937).*

958i. *Same—Rank, grade, and arm.*—Such officers shall take rank at the foot of the respective grades which they held at the time of their retirement and shall be carried as an additional number in the grade to which he may be transferred or at any time thereafter promoted, and shall be promoted on the same date as the officer next above him in rank, and shall be commissioned in the arm or department of the Army from which he was retired. *Id.*

958j. *Same—Examination for transfer and for promotion.*—Such officer shall stand a satisfactory medical examination, and when promoted shall stand the medical and professional examinations provided for by law. *Id.*

958k. *Same—After transfer, subsequent retirement only for age or disability.*—Any officer transferred to the active list under this Act shall not again be entitled to the benefits of the Panama Canal Act described above, except when retired for age or for physical disability incurred in the line of duty. *Id.*

961a. *Employment of retired officers in time of war.*—In time of war retired officers of the Army may be employed on active duty, in the discretion of the President, and when so employed they shall receive the full pay and allowances of their grade.² *Sec. 24, Act of June 3, 1916 (39 Stat. 133).*

(For the provision of this section immediately preceding this paragraph see paragraph 930b, and for the ensuing provision see paragraph 953f.)

¹ See paragraphs 927a–927k, ante.

² *Held*, that this provision supersedes previous statutes governing the pay of retired officer assigned to active duty in time of war and that under such provision all retired officers of the Army placed on active duty in time of war are entitled to the full pay and allowances of their grades; but it has reference only to such officers as are specifically assigned to active duty of a strictly military character under said provision, and does not apply to those detailed as instructors in educational institutions. (23 Comp. Treas., 577 id., 605. War Dept. Bull. 34, June 8, 1917.)

Held, that as retired officers ordered to active duty under this statute are entitled to active duty pay only when “employed on active duty,” full pay and allowances do not begin to accrue until the officer starts to obey his orders placing him on active duty. (War Dept. Bull. 54, Sept. 30, 1917.)

969a. *Retired Army officers, with certain Civil War service, may be appointed and retired with increased rank.*—The President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, any brigadier general of the Army on the retired list who has held the rank and command of major general of Volunteers and performed the duties incident to that grade in time of actual warfare, and has been honorably discharged, and who served with credit in the Regular or Volunteer forces during the Civil War prior to April ninth, eighteen hundred and sixty-five, to the grade of major general in the United States Army and place him on the retired list with the pay of brigadier general on the retired list; and any officer now on the retired list of the Army who served with credit for more than two years as a commissioned officer of Volunteers during the Civil War prior to April ninth, eighteen hundred and sixty-five, and who subsequently served with credit for more than forty years as a commissioned officer of the Regular Army, including service in command of troops in five Indian campaigns, the War with Spain, and the Philippine insurrection, and to whom the congressional medal of honor for most distinguished conduct in action has been twice awarded, and who has also been brevetted for conspicuous gallantry in action, and place him on the retired list of the Army with the rank and retired pay of one grade above that actually held by him at the time of his retirement from active service in the Regular Army. *Act of Mar. 4, 1915 (38 Stat. 1084).*

969b. *Same—Advancement of brigadier general on the retired list, with certain Civil War service, one grade.*—The President be, and he is hereby, authorized to appoint to the grade of major general on the retired list of the Army any brigadier general now borne on said list who served with credit in the Army throughout both the Civil War and the War with Spain, as well as during the interval between said wars, and who, being a general officer, exercised with efficiency and gallantry the command of a brigade or of a higher unit in action or in actual operations against an enemy, and who in consideration of services so rendered was recommended to be a major general, United States Volunteers, by the commanding general of the Army, as shown by the records of the War Department. *Act of Aug. 29, 1916 (39 Stat. 628).*

969c. *Same—Advancement of retired brigadier general who had certain Civil War service as senior colonel, and so forth.*—Any brigadier general on the retired list who as senior colonel commanded with credit a brigade or higher unit in the Civil War, though not so recommended, may be advanced in grade as authorized by this paragraph if he fulfills the other requirements thereof. *Id.*

969d. *Same—Advancement to grade of major general on retired list of retired officer who had certain Civil War service, etc.*—The President be, and he is hereby, authorized to appoint and place on the retired list of the Army with the rank of major general any officer on the retired list who served not less than one year in the Regular or Volunteer forces of the United States during the Civil War prior to April ninth, eighteen hundred and sixty-five, and who was honorably discharged therefrom, who has since served not less than forty years as a commissioned officer of the Regular Army, and who was the last Civil War veteran on the active list of the Army for over two years before retirement and had ranked every general officer on the active list in length of service when he retired. *Id.*

969e. *Same—Advancement of retired colonel one grade on retired list who had certain service in Indian campaigns, War with Spain, etc.*—The President be, and he is hereby, authorized to appoint any colonel of the Army on the retired list who before retirement served more than forty-five years and six months, including sixteen years in the line of the Army, who held command in the line or staff over nine and a half years, who received campaign badges for service in four Indian campaigns and in the War with Spain and the Philippine insurrection, and who was recommended by the commanding general in time of war or insurrection for appointment to the grade of general officer in the Volunteer Army, to the grade of brigadier general on the retired list: *Provided*, That such officer did not receive advanced grade upon retirement nor has since received any advance over the grade held at the date of retirement. *Id.* 627.

975a. *Retired officer assigned to active duty as post commander during movement of troops, pay and allowances of.*—When by reason of the movement of troops a post is temporarily left without its regular garrison and with no commissioned officer except of the Medical Reserve Corps on duty thereat, the Secretary of War may assign a retired officer of the Army, with his consent, to active duty in charge of such post. The officer so assigned shall perform the duties of commanding officer and also any necessary staff duties at such post, and shall, while in the performance of such duties, receive the full pay and allowances of his grade, subject to the limitations imposed by the act of March second, nineteen hundred and five,¹ and the Act of June twelfth, nine hundred and six,¹ which limitations shall include the grades of brigadier general, major general, and lieutenant general. *Id.* 627.

975b. *Assignments to active duty as acting quartermasters.*—Assignments which have been, or may hereafter be made, of retired officers of the Army to active duty as acting quartermasters shall be

¹ See paragraphs 974 and 975.

regarded as assignments to staff duties not involving service with troops within the meaning of the Act of Congress approved April twenty-third, nineteen hundred and four.¹ *Act of May 12, 1917 (40 Stat. 48).*

975c. *Longevity pay, computation to include details to active duty.*—Hereafter any retired officer of the Army who has been detailed to active duty, and who has since his retirement, served on active detail shall be entitled to increases of longevity pay to be computed as provided by existing statute for the computation of longevity pay, for the time of his service before retirement and on active detail since his retirement.² *Id.*

975d. *Retired officers who have served in Corps of Engineers, assignment to active duty.*—When retired officers of the Army, any portion of whose active service was in the Corps of Engineers, are called back into active service they shall be eligible to fill any position required by law to be filled by an officer of the Corps of Engineers. *Joint Resolution of June 15, 1917. (40 Stat. 231).*

¹ See paragraph 958, ante, or 33 Stat. 264.

² *Held*, that under this legislation, which is to be read in connection with the last proviso of section 24, national-defense act of June 3, 1916, retired officers coming within its operation are entitled to increases of longevity pay, on account of active service rendered since retirement, not only while on such active duty but also after they have been relieved from such duty.

Held further, that the act in question deals also with allowance of longevity credit for all active service rendered by such officers since retirement, including any such service rendered before the passage of the act of May 12, 1917. (Comp. Treas., June 7, 1917; War Dept. Bull. 49, Aug. 22, 1917.)

CHAPTER XXV.

BREVETS—UNIFORM AND TITLE OF EX-OFFICERS— MEDALS OF HONOR—CERTIFICATES OF MERIT—FOR- EIGN DECORATIONS.

	Par.		Par.
Uniform	1010a-1010f	Same—Special pension of \$10 per month to each person whose name is placed on roll	1014c
Unlawful for unauthorized per- sons to wear, of Army, Navy, or Marine Corps	1010a	Same—Date of beginning and continuation of	1014d
Same—Not applicable to certain organizations and persons	1010b	Same—To be additional to pen- sion which beneficiary may re- ceive under any other law	1014e
Same—Uniform for the Na- tional Guard, military socie- ties, and instructors or mem- bers of cadet corps to bear dis- tinctive mark or insignia	1010c	Same—Not subject to taxes or any civil process	1014f
Same—Members of military so- cieties and instructors, and members of cadet corps not to wear insignia of rank of offi- cers of Army, etc.	1010d	Same—Holder of two or more medals entitled to but one special pension; rank in serv- ice not to be considered	1014g
Same—Penalty for violation of provisions of section	1010e	Same—Allowances to be paid from appropriations for inva- lid pensions	1014h
Same—Provisions extended to Coast Guard	1010f	Board to investigate awards of medals of honor	1014i-1014m
Medals of Honor	1013a-1014m	Composition of board, etc.	1014l
Authorization of, for noncom- missioned officers and pri- vates	1013a	Same—Name of recipient to be stricken from medal of honor list on finding of board	1014j
Bronze medals to volunteers for services in suppressing Philip- pine insurrection	1013b	Misdemeanor for recipient to publicly wear or display medal after name is stricken from list	1014k
Same—Appropriation for	1013c	Board given access to records of War Department	1014l
Army and Navy Medal of Honor roll	1014a-1014h	Actual expenses of board pay- able from contingencies of Army for War Department	1014m
Establishment of, etc.	1014a		
Same—Duty of Secretary of War, etc., to carry act into effect and issue certificates to applicants	1014b		

UNIFORM.

1010a. *Unlawful for unauthorized persons to wear, of Army, Navy, or Marine Corps.*—It shall be unlawful for any person not an officer or enlisted man of the United States Army, Navy, or Marine Corps to wear the duly prescribed uniform of the United States Army, Navy, or Marine Corps, or any distinctive part of such uniform, or a uniform any part of which is similar to a distinctive part of the duly prescribed uniform of the United States Army, Navy, or Marine Corps. *Sec. 125, Act of June 3, 1916 (39 Stat. 216).*

1010b. *Same—Not applicable to certain organizations and persons.*—The foregoing provision shall not be construed so as to prevent officers or enlisted men of the National Guard from wearing, in pursuance of law and regulations, the uniform lawfully prescribed to be worn by such officers or enlisted men of the National Guard; nor to prevent members of the organization known as the Boy Scouts of America, or the Naval Militia, or such other organizations as the Secretary of War may designate,¹ from wearing their prescribed uniforms; nor to prevent persons who in time of war have served honorably as officers of the United States Army, Navy, or Marine Corps, Regular or Volunteer, and whose most recent service was terminated by an honorable discharge, muster out, or resignation, from wearing, upon occasions of ceremony, the uniform of the highest grade they have held by brevet or other commission in such Regular or Volunteer service; nor to prevent any person who has been honorably discharged from the United States Army, Navy, or Marine Corps, Regular or Volunteer, from wearing his uniform from the place of his discharge to his home, within three months after the date of such discharge; nor to prevent the members of military societies composed entirely of honorably discharged officers or enlisted men, or both, of the United States Army, Navy, or Marine Corps, Regular or Volunteer, from wearing, upon occasions of ceremony, the uniform duly prescribed by such societies to be worn by the members thereof; nor to prevent the instructors and members of the duly organized cadet corps of a State university, State college, or public high school offering a regular course in military instruction from wearing the uniform duly prescribed by the authorities of such university, college, or public high school for wear by the instructors and members of such cadet corps; nor to prevent the instructors and

¹ *Held*, that, as the organizations that are expressly named as excepted are either military or quasi-military, and in view of the rule of associated words, it was the intention of Congress that the Secretary of War's authority to designate other organizations should be limited to those of a similar character, and that the Secretary of War is, therefore, not authorized to designate the Army Young Men's Christian Association as an organization exempt from the provisions of section 125 of the national-defense act. (War Dept. Bull. 3, Jan. 19, 1917.)

members of the duly organized cadet corps of any other institution of learning offering a regular course in military instruction, and at which an officer or enlisted man of the United States Army, Navy, or Marine Corps is lawfully detailed for duty as instructor in military science and tactics, from wearing the uniform duly prescribed by the authorities of such institution of learning for wear by the instructors and members of such cadet corps; nor to prevent civilians attendant upon a course of military or naval instruction authorized and conducted by the military or naval authorities of the United States from wearing, while in attendance upon such course of instruction, the uniform authorized and prescribed by such military or naval authorities for wear during such course of instruction; nor to prevent any person from wearing the uniform of the United States Army, Navy, or Marine Corps in any playhouse or theater or in moving-picture films while actually engaged in representing therein a military or naval character not tending to bring discredit or reproach upon the United States Army, Navy, or Marine Corps.¹ *Id.*

1010c. *Same—Uniform for the National Guard, military societies, and instructors or members of cadet corps to bear distinctive mark or insignia.*—The uniform worn by officers or enlisted men of the National Guard, or by the members of the military societies or the instructors and members of the cadet corps² referred to in the preceding proviso shall include some distinctive mark or insignia to be prescribed by the Secretary of War to distinguish such uniforms from the uniforms of the United States Army, Navy, and Marine Corps. *Id.* 217.

¹ Home Guards may not, without authority therefor from the Secretary of War, wear any uniform which bears a prohibited similarity to the uniform of the United States, but the Secretary of War has power to grant such authority on condition that the uniform bear some mark or insignia distinguishing it from the uniform prescribed for the United States Army. (War Dept. Bull. 67, Nov. 30, 1917.)

An officer of the Reserve Corps who is honorably discharged from the service of the United States before having reached the age limit for appointment or reappointment in the Corps in which he is commissioned, or if in Corps having no age limit, before the completion of five years of service therein, is not entitled to wear the uniform of the highest grade he shall have held in the Officers' Reserve Corps on occasions of ceremony or when visiting an Army post or cantonment or at any other time, nor has he the right to wear any part of the uniform. (Dig. Opin. J. A. G., January, 1918.)

Women officials of the American Red Cross may wear on their prescribed uniform in foreign countries, constituting the theater of active war, the insignia of title and assimilated rank required to be worn as a distinctive mark to distinguish such uniform from the uniform of the United States Army. (*Id.*, February, 1918.)

² An instructor of a cadet corps in a high school, while entitled to wear the uniform prescribed by such institution for wear by the instructors of its cadet corps, is expressly forbidden by section 125 of the national defense act of June 3, 1916 (39 Stat. 217), to wear the uniform of the United States Army or any distinctive part thereof, or a uniform any part of which is similar to a distinctive part thereof or the insignia of rank prescribed to be worn by officers of the United States Army or any insignia of rank similar thereto.

1010d. *Same—Members of military societies and instructors and members of cadet corps not to wear insignia of rank of officers of Army, etc.*—The members of the military societies and the instructors and members of the cadet corps hereinbefore mentioned shall not wear the insignia of rank prescribed to be worn by officers of the United States Army, Navy, or Marine Corps, or any insignia of rank similar thereto. *Id.*

1010e. *Same—Penalty for violation of provisions of section.*—Any person who offends against the provisions of this section shall, on conviction, be punished by a fine not exceeding \$300, or by imprisonment not exceeding six months, or by both such fine and imprisonment. *Id.*

1010f. *Same—Provisions extended to Coast Guard.*—Section one hundred and twenty-five of the Act entitled "An Act for further and more effectual provision for the national defense, and for other purposes," approved June third, nineteen hundred and sixteen, shall apply to the Coast Guard in the same manner as to the Army, Navy, and Marine Corps. *Act of Aug. 29, 1916 (39 Stat. 649), amending sec. 125, Act of June 3, 1916 (39 Stat. 216).*

MEDALS OF HONOR.

1013a. *Authorization of for noncommissioned officers and privates.*—The President of the United States be, and he is hereby, authorized to cause two thousand "medals of honor" to be prepared with suitable emblematic devices, and to direct that the same be presented, in the name of Congress, to such noncommisisoned officers and privates as shall most distinguish themselves by their gallantry in action, and other soldier-like qualities during the present insurrection. *Resolution No. 52 of July 12, 1862 (12 Stat. 623).*

1013b. *Bronze medals to volunteers for services in suppressing Philippine insurrection.*—The Secretary of War be, and he is hereby, authorized and directed to procure a bronze medal, with suitable device, to be presented to each of the several officers and enlisted men and families of such as may be dead, who, having volunteered and enlisted under the calls of the President for the war with Spain, served beyond the term of their enlistment to help to suppress the Philippine insurrection, and who subsequently received an honorable discharge from the Army of the United States, or who died prior to such discharge. *Sec. 1, Act of June 29, 1906 (34 Stat. 621).*

1013c. *Same—Appropriation for.*—The sum of five thousand dollars is hereby appropriated, out of any funds in the Treasury of the United States not otherwise appropriated, for the purpose of carrying this Act into effect. *Sec. 2, id.*

ARMY AND NAVY MEDAL OF HONOR ROLL.

1014a. *Establishment of, etc.*—There is hereby established in the War Department and Navy Department, respectively, a roll designated as “the Army and Navy medal of honor roll.” Upon written application made to the Secretary of the proper department, and subject to the conditions and requirements hereinafter contained, the name of each surviving person who has served in the military or naval service of the United States in any war, who has attained or shall attain the age of sixty-five years, and who has been awarded a medal of honor for having in action involving actual conflict with an enemy distinguished himself conspicuously by gallantry or intrepidity, at the risk of his life, above and beyond the call of duty, and who was honorably discharged from service by muster out, resignation, or otherwise, shall be, by the Secretary of the proper department, entered and recorded on said roll. Applications for entry on said roll shall be made in such form and under such regulations as shall be prescribed by the War Department and Navy Department, respectively, and proper blanks and instructions shall be, by the proper Secretary, furnished without charge upon request made by any person claiming the benefits of this Act. *Sec. 1, Act of Apr. 27, 1916 (39 Stat. 53).*

1014b. *Same—Duty of Secretary of War, etc., to carry Act into effect and issue certificates to applicants.*—It shall be the duty of the Secretary of War and of the Secretary of the Navy to carry this Act into effect and to decide whether each applicant, under this Act, in his department is entitled to the benefit of this Act. If the official award of the medal of honor to the applicant, or the official notice to him thereof, shall appear to show that the medal of honor was awarded to the applicant for such an act as is required by the provisions of this Act, it shall be deemed sufficient to entitle the applicant to such special pension without further investigation. Otherwise all official correspondence, orders, reports, recommendations, requests, and other evidence now on file in any public office or department shall be considered. A certificate of service and of the act of heroism, gallantry, bravery, or intrepidity for which the medal of honor was awarded, and of enrollment under this Act, and of the right of the special pensioner to be entitled to and to receive the special pension herein granted, shall be furnished each person whose name shall be so entered on said roll. The Secretary of War and the Secretary of the Navy shall deliver to the Commissioner of Pensions a certified copy of each of such of said certificates as he may issue, as aforesaid, and the same shall be full and sufficient authority to the Commissioner of Pensions for the payment by him to the beneficiary named in each such certificate the special pension herein provided for. *Sec. 2, id. 54.*

1014c. *Same—Special pension of \$10 per month to each person whose name is placed on roll.*—Each such surviving person whose name shall have been entered on said roll in accordance with this Act shall be entitled to and shall receive and be paid by the Commissioner of Pensions in the Department of the Interior, out of any moneys in the Treasury of the United States not otherwise appropriated, a special pension of \$10 per month for life, payable quarter yearly. The Commissioner of Pensions shall make all necessary rules and regulations for making payment of such special pensions to the beneficiaries thereof. *Sec. 3, id.*

1014d. *Same—Date of beginning and continuation of.*—Such special pension shall begin on the day that such person shall file his application for enrollment on said roll in the office of the Secretary of War or of the Secretary of the Navy after the passage and approval of this Act, and shall continue during the life of the beneficiary. *Id.*

1014e. *Same—To be additional to pension which beneficiary may receive under any other law.*—Such special pension shall not deprive any such special pensioner of any other pension or of any benefit, right, or privilege to which he is or may hereafter be entitled under any existing or subsequent law, but shall be in addition thereto. *Id.*

1014f. *Same—Not subject to taxes or any civil process.*—The special pension allowed under this Act shall not be subject to any attachment, execution, levy, tax, lien, or detention under any process whatever. *Id.*

1014g. *Same—Holder of two or more medals entitled to but one special pension; rank in service not to be considered.*—In case any person has been awarded two or more medals of honor, he shall not be entitled to and shall not receive more than one such special pension.

Rank in the service shall not be considered in applications filed hereunder. *Sec. 4, id.*

1014h. *Same—Allowances to be paid from appropriations for invalid pensions.*—All allowances made, or hereafter to be made, to medal of honor pensioners under the Act of Congress approved April twenty-seventh, nineteen hundred and sixteen, shall be paid from the moneys appropriated for the payment of invalid and other pensions, and section three of the said Act of April twenty-seventh, nineteen hundred and sixteen, is amended accordingly. *Act of June 30, 1916 (39 Stat. 224), amending Sec. 3, Act of Apr. 27, 1916 (39 Stat. 53).*

BOARD TO INVESTIGATE AWARDS OF MEDALS OF HONOR.

1014i. *Composition of board, etc.*—A board to consist of five general officers on the retired list of the Army shall be convened by the

Secretary of War, within sixty days after the approval of this Act for the purpose of investigating and reporting upon past awards or issues of the so-called congressional medal of honor by or through the War Department; this with a view to ascertain what medals of honor, if any, have been awarded or issued for any cause other than distinguished conduct by an officer or enlisted man in action involving actual conflict with an enemy by such officer or enlisted man or by troops with which he was serving at the time of such action. *Sec. 122, Act of June 3, 1916 (39 Stat. 214).*

1014j. *Same—Name of recipient to be stricken from medal of honor list on finding of board.*—And in any case in which said board shall find and report that said medal was issued for any cause other than that hereinbefore specified the name of the recipient of the medal so issued shall be stricken permanently from the official medal of honor list.¹ *Id.*

1014k. *Misdemeanor for recipient to publicly wear or display medal after name is stricken from list.*—It shall be a misdemeanor for him to wear or publicly display said medal, and, if he shall still be in the Army, he shall be required to return said medal to the War Department for cancellation. *Id.*

1014l. *Board given access to records of War Department.*—Said board shall have full and free access to and use of all records pertaining to the award or issue of medals of honor by or through the War Department. *Id.*

1014m. *Actual expenses of board payable from contingencies of Army for War Department.*—The actual and necessary expenses of said board and its members shall be paid out of any appropriations available for contingent expenses of the Army of the War Department. *Id.*

¹ Certain questions were submitted as to the construction of section 122 of the national-defense act, approved June 3, 1916, providing for the appointment of a board of retired officers to investigate and report upon past awards or issues of the so called congressional medals of honor by or through the War Department.

Held, that as the statute expressly requires that "in any case in which the board shall find and report" that the medal was issued for any cause other than that specified in the statute "the name of the recipient of the medal so issued shall be stricken permanently from the medal of honor list," the Secretary of War is without discretion to review or control the findings of the board; that the law requires from him administrative action (1) to cause the name of the recipient of the medal which the board finds was improperly issued to be stricken "permanently from the official medal of honor list"; and (2) if the recipient "shall still be in the Army" to require him to "return said medal to the War Department for cancellation"; and that the act requires the Secretary of War to proceed at once to give execution to the findings of the board in these respects and gives him no authority to postpone action.

Held further, that although the provision making it a misdemeanor for the recipient of a medal of honor which the board finds was improperly issued to wear or publicly display the same fails to prescribe a penalty for the offense, nevertheless the statute does not charge the Secretary of War with any duty to enforce this provision (War Dept. Bull. 15, Mar. 24, 1917.)

CHAPTER XXVI.

ENLISTED MEN.

	Par.		Par.
Enlistment of minors-----	1028a	ing, etc., reserve organiza-	
Enlistment, term of-----	1031a	tions-----	1031n
Same—Reenlistment after three		Bounty for reenlistment in time	
years' continuous service-----	1031b	of war of certain honorably	
Same—May be furloughed to		discharged men as an auxil-	
Regular Army Reserve after		itary to-----	1031o
one year's honorable service--	1031c	Premium for recruits may be	
Same—Three years to be counted		paid to third and four class	
as enlistment period in com-		postmasters for securing-----	1032a
puting continuous-service pay_	1031d	Repeal of premium for recruits_	1032b
Final discharge issued at expira-		Reenlistment of noncommis-	
tion of seven years, but ac-		sioned officer within 20 days	
count closed on furlough to		with rank of discharge-----	1034a
Regular Army Reserve-----	1031e	Discharge by purchase may be	
Regular Army Reserve---	1031f-1031o	final or by furlough to Regu-	
Composition of-----	1031f	lar Army Reserve-----	1043a
Same—Organization, training,		Reenlistment of men discharged	
mobilization, pay, etc., of----	1031g	from Army to accept commis-	
Enlistments in the Regular		sions in National Guard, etc_	1043b
Army and in, in force at out-		Same—Computation of continu-	
break of war to continue for		ous service pay-----	1043c
one year-----	1031h	Computation of continuous serv-	
Period of enlistments in Regular		ice pay of discharged enlisted	
Army and Regular Army Re-		men serving as officers of Na-	
serve in force on approval of		tional Guard, in Officers' Re-	
act-----	1031h $\frac{1}{2}$	serve Corps, etc-----	1043d
Discharge of enlisted men of		Discharge or furlough to Regu-	
Regular Army and National		lar Army Reserve on account	
Guard on termination of emer-		of dependency of member of	
gency-----	1031h $\frac{1}{2}$	family-----	1044a
Annual rate of pay for members		Discharge of enlisted men on ac-	
of-----	1031i	count of dependents; active	
Same—Active service pay-----	1031j	duty of retired enlisted men,	
Same—Continuous service pay		grades and pay-----	1044b
during active service-----	1031k	Travel allowance of enlisted men	
Bounty of reservist upon report-		on discharge-----	1045a
ing for active duty if physi-		Same—Applies to enlisted men	
cally qualified-----	1031l	of National Guard on dis-	
Service in, confers no right to		charge from United States---	1045b
retirement or retired pay;		Sea travel on discharge-----	1046a
pensionable status-----	1031m	Alien enemies not admitted to	
Use of other Government de-		citizenship-----	1054a
partments for paying, mobiliz-			

1028a. *Enlistment of minors.*—No person under the age of eighteen years shall be enlisted or mustered into the military service of the United States without the written consent of his parents or guardians, provided that such minor has such parents or guardians entitled to his custody and control.¹ *Sec. 27, Act of June 3, 1916 (39 Stat. 186).*

(For the provisions of this section preceding this paragraph, see paragraphs 1031a, 1031b, 1031c, 1031d, and 1034a, and for ensuing provision see paragraph 1032a.)

1031a. *Enlistment, term of.*—On and after the first day of November, nineteen hundred and sixteen, all enlistments in the Regular Army shall be for a term of seven years, the first three years to be in the active service with the organizations of which those enlisted form a part and, except as otherwise provided herein, the last four years in the Regular Army Reserve hereinafter provided for. *Id.*

(See paragraph 1031h, post, for provision that all enlistments in the Regular Army and in the Regular Army Reserve in force on date of outbreak of war shall continue for one year, but nothing in the proviso shall shorten the term of enlistment prescribed.)

1031b. *Same—Reenlistment after three years' continuous service.*—At the expiration of three years' continuous service with such organizations, either under a first or any subsequent enlistment, any soldier may be reenlisted for another period of seven years, as above provided for, in which event he shall receive his final discharge from his prior enlistment. *Id.* 185.

1031c. *Same—May be furloughed to Regular Army Reserve after one year's honorable service.*—After the expiration of one year's honorable service any enlisted man serving within the continental limits of the United States whose company, troop, battery, or detachment commander shall report him as proficient and sufficiently trained may, in the discretion of the Secretary of War, be furloughed to the Regular Army Reserve under such regulations as the Secretary of War may prescribe, but no man furloughed to the

¹ No distinction should be made between the Army and the Marine Corps in the treatment of minors.

The following rules have been established by the courts with regard to the discharge of a minor who enlisted without the written consent of his parent or guardian. A minor over 16 can not avoid his enlistment. *In re Morrissey* (137 U. S. 157); his parent or guardian, to do so, must act seasonably, *Ex parte Dostal* (243 Fed. 664); *Ex parte Rush* (246 Fed. 172); and before the minor has attained the age of 18 years, *Ex parte Dostal*, supra; *Ex parte Hubbard* (182 Fed. 76). If the minor is being held for an offense against military law, the jurisdiction of the military authorities can not be ousted by the civil courts, *Ex parte Dostal*, supra; *Dillingham v. Bocker* (163 Fed. 696); *Ex parte Rush*, supra. On the general subject, see note in 39 L. R. A., N. S., 454. (Dig. Opin. J. A. G., March, 1918.)

reserve shall be eligible to reenlist in the service until the expiration of his term of seven years. *Id.* 187.

1031d. *Same—Three years to be counted as enlistment period in computing continuous-service pay.*—In all enlistments hereafter accomplished under the provisions of this Act three years shall be counted as an enlistment period in computing continuous-service pay. *Id.*

(For ensuing provision of this section see paragraph 1034a.)

1031e. *Final discharge issued at expiration of seven years, but account closed on furlough to Regular Army Reserve.*—No enlisted man in the Regular Army shall receive his final discharge until the termination of his seven-year term of enlistment except upon reenlistment as provided for in this Act or as provided by law for discharge prior to expiration of term of enlistment, but when an enlisted man is furloughed to the Regular Army Reserve his account shall be closed and he shall be paid in full to the date such furlough becomes effective, including allowances provided by law for discharged soldiers. *Sec. 29, id.*

(For ensuing provision of this section see paragraph 1044a.)

1031f. *Composition of.*—The Regular Army Reserve shall consist of, first, all enlisted men now in the Army Reserve or who shall hereafter become members of the Army Reserve under the provisions of existing law; second, all enlisted men furloughed to or enlisted in the Regular Army Reserve under the provisions of this Act; and, third, any person holding an honorable discharge from the Regular Army with character reported at least good who is physically qualified for the duties of a soldier and not over forty-five years of age who enlists in the Regular Army Reserve for a period of four years. *Sec. 30, id.*

1031g. *Same—Organization, training, mobilization, pay, etc., of.*—The President is authorized to assign members of the Regular Army Reserve as reserves to particular organizations of the Regular Army or to organize the Regular Army Reserve, or any part thereof, into units or detachments of any arm, corps, or department in such manner as he may prescribe, and to assign to such units and detachments officers of the Regular Army or of the Officers' Reserve Corps herein provided for; and he may summon the Regular Army Reserve or any part thereof for field training for a period not exceeding fifteen days in each year, the reservists to receive travel expenses and pay at the rate of their respective grades in the Regular Army during such periods of training; and in the event of actual or threatened hostilities he may mobilize the Regular Army Reserve in such manner as he may determine, and thereafter retain it, or any part

thereof, in active service for such period as he may determine the conditions demand.¹ *Sec. 31, id.*

1031h. *Enlistments in the Regular Army and in, in force at outbreak of war to continue for one year.*—All enlistments in the Regular Army, including those in the Regular Army Reserve, which are in force on the date of the outbreak of war shall continue in force for one year, unless sooner terminated by order of the Secretary of war, but nothing herein shall be construed to shorten the time of enlistment prescribed. *Id.*

(See paragraph 1031a as to term of enlistment.)

1031h $\frac{1}{2}$. *Period of enlistments in Regular Army and Regular Army Reserve in force on approval of Act.*—All enlistments, including those in the Regular Army Reserve, which are in force on the date of the approval of this Act and which would terminate during the emergency shall continue in force during the emergency unless sooner discharged; but nothing herein contained shall be construed to shorten the period of any existing enlistment.² *Sec. 7, Act of May 18, 1917 (40 Stat. 81).*

(For the preceding provision of this section see paragraph 1661, post, and for ensuing provision see paragraph 1662, post.)

¹ *Held*, that the law contemplates that the President may cause reservists to be organized at all times in the manner indicated and that, in the discretion of the President, they may be attached as such to organizations of the Regular Army that are at maximum strength, but when so attached they are not constituent parts of such organizations and form no part of the numbers authorized by law for such organizations. (War Dept. Bull. 34, Sept. 12, 1916.)

Held, that when so assigned, reservists are eligible for promotion as other members of the organizations who are serving in the active period of their enlistment. (War Dept. Bull. 39, Oct. 6, 1916.)

Held as follows:

(a) Under the statute a reservist is entitled to active-duty pay and allowances from the time he reports in person in response to a mobilization order until the time he is actually excused.

(b) As to whether clothing is an allowance to which a reservist is entitled under the circumstances stated, depends upon whether he actually avails himself of such allowance. Clothing is essentially an allowance in kind, furnished for use of enlisted men when they are accepted for actual service, and is commuted to a money value merely for convenience. Therefore, until a reservist is examined and found physically fit for service, and accepted for service, he is not entitled to any clothing allowance. After he is accepted for service he is entitled to draw clothing against his clothing allowance, but if he is excused before drawing clothing against his allowance he should not be credited with any such allowance.

(c) A reservist who, in obedience to a summons, reports at the designated place and is found physically qualified complies with the statute and his right to mobilization pay becomes vested and the same should be paid. (War Dept. Bull. 47, Nov. 16, 1916.)

Upon the discharge of an enlisted man of the Regular Army Reserve, recalled to active service, he is entitled to travel allowance from the place of his discharge to his home; that is, to the place from which he was furnished transportation when called to active duty. (Comp. Treas., Nov. 16, 1917; War Dept. Bull. 72, Dec. 24, 1917.)

² Upon questions (a) whether soldiers could legally be discharged by reason of expiration of term of enlistment subsequent to the passage of the act of May

1031h $\frac{1}{2}$. *Discharge of enlisted men of Regular Army and National Guard on termination of emergency.*—All persons who have enlisted since April first, nineteen hundred and seventeen, either in the Regular Army or in the National Guard, and all persons who have enlisted in the National Guard since June third, nineteen hundred and sixteen, upon their application, shall be discharged upon the termination of the existing emergency. *Id.*

(For the preceding provision of this section see paragraph 1662, post, and for the ensuing provision see paragraph 1044b, post.)

1031i. *Annual rate of pay for members of.*—Subject to such regulations as the President may prescribe for their proper identification, and location, and physical condition, the members of the Regular Army Reserve shall be paid semiannually at the rate of \$24 a year while in the reserve. *Sec. 31, Act of June 3, 1916 (39 Stat. 188).*

1031j. *Same—Active service pay.*—When mobilized by order of the President, the members of the Regular Army Reserve shall, so long as they may remain in active service, receive the pay and allowances of enlisted men of the Regular Army of like grades. *Sec. 32, id. 188.*

1031k. *Same—Continuous service pay during active service.*—Any enlisted man who shall have reenlisted in the Regular Army Reserve shall receive during such active service the additional pay now provided by law for enlisted men in his arm of the service in the second enlistment period. *Id.*

(See par. 708, ante, for rates of continuous-service pay to enlisted men of Regular Army.)

1031l. *Bounty of reservists upon reporting for active duty if physically qualified.*—Upon reporting for duty, and being found physically fit for service, members of the Regular Army Reserve shall receive a sum equal to \$3 per month for each month during which they shall have belonged to the reserve, as well as the actual necessary cost of transportation and subsistence from their homes to the

18, 1917, and (b) whether that act was effective to continue in force enlistments in the National Guard,

Held, that question (a) must be answered in the negative since the provision contained in section 7 of the act of May 18, 1917, is an inhibition against discharges unless ordered by the Secretary of War under his general power to grant discharges in the interest of the Government, and since the soldier's enlistment is prolonged for the period of the emergency by the provision quoted, a discharge for the purpose of immediate enlistment would involve administrative labor and a multiplication of records without any resultant benefit to the Government.

Held further as to question (b), that since the provision quoted is applicable to "all enlistments," it is applicable to enlistments in the National Guard, they being enlistments in the National Guard of the United States as well as in the National Guard of a State; and the question is answered in the affirmative. (War Dept. Bull. 49, Aug. 22, 1917.)

places at which they may be ordered to report for duty under such summons.¹ *Id.*

1031m. *Service in, confers no right to retirement or retired pay; pensionable status.*—Service in the Regular Army Reserve shall confer no right to retirement or retired pay, and members of the Regular Army Reserve shall become entitled to pension only through disability incurred while on active duty in the service of the United States. *Id.*

1031n. *Use of other Government departments for paying, mobilizing, etc., reserve organizations.*—The President may, subject to such rules and regulations as in his judgment may be necessary, utilize the services of members and employees of all departments of the Government of the United States, without expense to the individual reservist, for keeping in touch with, paying, and mobilizing the Regular Army Reserve, the Enlisted Reserve Corps, and other reserve organizations. *Sec. 33, id. 188.*

1031o. *Bounty for reenlistment in time of war of certain honorably discharged men as an auxiliary to.*—For the purpose of utilizing as an auxiliary to the Regular Army Reserves the services of men who have had experience and training in the Regular Army, or in the United States Volunteers, outside of the continental limits of the United States, in time of actual or threatened hostilities, and after the President shall, by proclamation, have called upon honorably discharged soldiers of the Regular Army to present themselves for reenlistment therein within a specified period, subject to such conditions as may be prescribed, any person who shall have been dis-

¹ In the case of an enlisted man of the Regular Army Reserve called to the colors for active service who was convicted by general court-martial and sentenced to be dishonorably discharged "and to forfeit all pay and allowances now due and to become due while under confinement under this sentence,"

Held, that the sentence operated to forfeit not only the unpaid pay for active service which became due and payable monthly and the balance, if any, due the soldier on account of clothing and other allowances, but included as well the amounts which had become due the soldier upon his reporting for active duty in response to the President's summons, known as mobilization and reservist's pay, which had not been paid him at the time of his conviction and sentence, this view being in consonance with the decision of the Supreme Court in the *Lunders case* (92 U. S., 80), in which it was held—

"The bounty which the petitioner claimed was included in the allowances forfeited. Under the term 'allowances' everything was embraced which could be recovered from the Government by the soldier in consideration of his enlistment and services, except the stipulated monthly compensation designated as pay."

In the instant case the soldier became entitled under section 31 of the act of June 3 1916, upon reporting for duty and being found physically fit for service, to the sum of \$3.07 as reservist's pay, being \$2 per month for period from June 3, 1916, to July 18, 1916, and, under the provisions of section 32 of the same act he became entitled to \$15.30 as mobilization pay, being \$3 per month for the entire period of his furlough from February 16, 1913, to July 18, 1916, inclusive.

Held, that so much of paragraph 86 of the Regulations for the Regular Army Reserve, published August 15, 1916, as specifies \$5 per month as the rate of mobilization pay up to June 2, 1916, is invalid. (Comp. Treas., Apr. 20, 1917; War Dept. Bull. 26, May 7, 1917.)

charged honorably from said Army, with character reported as at least good, and who, having been found physically qualified for the duties of a soldier, if not over fifty years of age, shall reenlist in the line of said Army, or in the Signal, Quartermaster, or Medical Department thereof, within the period that shall be specified in said proclamation, shall receive on so reenlisting a bounty which shall be computed at the rate of \$8 for each month for the first year of the period that shall have elapsed since his last discharge from the Regular Army and the date of his reenlistment therein under the terms of said proclamation; at the rate of \$6 per month for the second year of such period; at the rate of \$4 per month for the third year of such period; and at the rate of \$2 per month for any subsequent year of such period; but no bounty in excess of \$300 shall be paid to any person under the terms of this section. *Sec. 34, id.*

1032a. Premium for recruits may be paid to third and fourth class postmasters for securing.—The President is authorized in his discretion to utilize the services of postmasters of the second, third, and fourth classes in procuring the enlistment of recruits for the Army, and for each recruit accepted for enlistment in the Army the postmaster procuring his enlistment shall receive the sum of \$5. *Sec. 27, id. 186.*

(For the provision of this section immediately preceding this paragraph see paragraph 1028a, and for the ensuing provisions see paragraphs 1293a and 1293b.)

1032b. Repeal of premium for recruits.—Section eleven hundred and twenty of the Revised Statutes of the United States be, and the same is hereby, repealed. *Sec. 1120, R. S., repealed by Act of May 12, 1917 (40 Stat. 53).*

1034a. Reenlistment of noncommissioned officer within twenty days with rank of discharge.—Any noncommissioned officer discharged with an excellent character shall be permitted, at the expiration of three years in the active service, to reenlist in the organization from which discharged with the rank and grade held by him at the time of his discharge if he reenlists within twenty days after the date of such discharge. *Sec. 27, Act of June 3, 1916 (39 Stat. 186).*

(For the provision of this section immediately preceding this paragraph see paragraph 1031d, and for the ensuing provision see paragraph 1028a.)

1043a. Discharge by purchase may be final or by furlough to Regular Army Reserve.—When an enlisted man is discharged by purchase while in active service he shall be furloughed to the Regular Army Reserve, unless, in the discretion of the Secretary of War, he is given a final discharge from the Army. *Sec. 29, Id. 187.*

(For the provision of this section immediately preceding this paragraph see paragraph 1044a.)

1043b. Reenlistment of men discharged from Army to accept commissions in National Guard, etc.—The enlisted men who were dis-

charged from the Army to accept a commission in the National Guard, or in any volunteer force that may be authorized in the future, at the call of the President, June eighteenth, nineteen hundred and sixteen, be restored to their original status upon reenlisting in the Regular Army.¹ *Act of May 12, 1917 (40 Stat. 74).*

1043c. *Same—Computation of continuous service pay.*—That they reenlist within three months from date of muster out of the United States service, and that in computing service for retirement and continuous service pay, service as an officer in the National Guard, or in any volunteer force that may be authorized in the future, while in the service of the United States, be counted. *Id.*

1043d. *Computation of continuous service pay of discharged enlisted men serving as officers of National Guard, in Officers' Reserve Corps, etc.*—Hereafter any enlisted man of the Army who shall be discharged to enable him to accept a commission in the Officers' Reserve Corps, or in any National Guard or militia organization, or in any volunteer force that may be authorized in the future, and who shall enlist in the Army within three months after the termination of his connection as an officer with that corps, or with any organization of the National Guard or militia, or a volunteer force, or during the continuation of his connection therewith, as an officer, shall, in computing continuous service pay now authorized by law, be entitled to credit for the period of time actually served by him prior to said discharge, and in computing service for retirement and continuous service pay, service as an officer of the National Guard, while in the service of the United States, service in any volunteer force, and service in the Officers' Reserve Corps in active service shall be counted.¹ *Id.*

1044a. *Discharge or furlough to Regular Army Reserve on account of dependency of member of family.*—When by reason of death or disability of a member of the family of an enlisted man occurring

¹ The Army appropriation act of May 12, 1917, provides for the restoration of status in the Regular Army of an enlisted man who shall be discharged to accept a commission in the Officers' Reserve Corps, in the National Guard, or militia organization, or in any volunteer force, and who shall enlist within three months after the termination of his connection as an officer with that corps, etc. *Held*, that an enlisted man who is discharged from the Regular Army to accept a temporary commission in the Regular Army would not be entitled upon reenlistment to occupy his previous status in the Regular Army. (War Dept. Bull. 72, Dec. 24, 1917.)

after his enlistment members of his family become dependent upon him for support, he may, in the discretion of the Secretary of War, be discharged from the service of the United States or be furloughed to the Regular Army Reserve, upon due proof being made of such condition.¹ *Sec. 29, Act of June 3, 1916 (39 Stat. 187).*

(For the preceding provision of this section see paragraph 1031e, and for the ensuing provision see paragraph 1043a.)

1044b. Discharge of enlisted men on account of dependents, active duty of retired enlisted men, grades and pay.—The President may provide for the discharge of any or all enlisted men whose status with respect to dependents² renders such discharge advisable; and he may also authorize the employment on any active duty of retired enlisted men of the Regular Army, either with their rank on the retired list or in higher enlisted grades, and such retired enlisted men shall receive the full pay and allowances of the grades in which they are actively employed.³ *Sec. 7, Act of May 18, 1917 (40 Stat. 81).*

(For the preceding provision of this section see paragraph 1031h $\frac{1}{2}$, ante, and for the ensuing section see paragraphs 1663, 1664, post.)

¹ *Held*, that this provision is applicable to all discharges by purchase issued on and after the date of the approval of the act, irrespective of the time when the soldier enlisted.

Held, that this provision as a whole is inapplicable to the National Guard, in view of the alternative of furloughing the soldier "to the Regular Army Reserve," and that its terms indicate that it was intended to apply only to the Regular Army. (War Dept. Bull. 18, July 8, 1916.)

Held, that this provision repeals section 30 of the act of February 2, 1901 (31 Stat., 756), which authorized the discharge only upon the death of a dependent parent and after one year's service. (War Dept. Bull. 28, Aug. 18, 1916.)

² An enlisted man, who was entitled to an honorable discharge because of dependent relatives, through error was given a discharge without honor reciting that he was discharged on account of fraudulent enlistment. Although the certificate of discharge, having been executed, can not be revoked, it can be corrected by an indorsement thereon so as to show the true facts. The records of the War Department can be similarly corrected. These corrections having been made, the man's right to the usual pay and transportation will accrue as upon an honorable discharge. (Dig. Opin. J. A. G., February, 1918.)

³ It was directed in War Department orders that certain retired enlisted men named therein, "are assigned to active duty in their grades, to take effect June 20, 1917, and will be sent by the commanding general of the department in which the soldiers reside to the stations indicated for assignment to active duty." The men were not directed by the department commander to report for active duty until some time after June 20, 1917, and the question was presented whether they were entitled to active-duty pay from June 20, the date named in War Department orders as the date of their assignment to active duty. Section 7 of the act of May 18, 1917, provides that the President may "authorize the employment on any active duty of retired enlisted men of the Regular Army, either with their rank on the retired list or in the higher enlisted grades, and such retired enlisted men shall receive the full pay and allowances of the grades in which they are actively employed."

Held, that the statute indicates clearly that the soldiers must be employed on active duty before full pay and allowances can accrue; that the War Department order in such cases is to be regarded only as authority for employment of the men on active duty and does not have the effect of authorizing pay from the date mentioned therein, and that under the statute active-duty pay does not commence until the men start in response to specific orders to report for duty. War Dept. Bull. 54, Sept. 26, 1917.)

1045a. *Travel allowance of enlisted men on discharge.*—On and after July first, nineteen hundred and sixteen, an enlisted man when discharged from the service, except by way of punishment for an offense, shall receive $3\frac{1}{2}$ cents per mile from the place of his discharge to the place of his acceptance for enlistment, enrollment, or original muster into the service, at his option.¹ *Sec. 126, Act of June 3, 1916 (39 Stat. 217).*

(For the ensuing provision of this section see paragraph 1046a.)

¹ *Held*, that the act of August 24, 1912 (37 Stat. 575), providing for transportation and subsistence in kind for enlisted men on their discharge, or, in lieu thereof, 2 cents a mile, at the election of the soldier, was repealed by the act of June 3, 1916, and that on and after July 1, 1916, the payment of travel pay to enlisted men of the Army on discharge will be governed by the acts of June 12, 1906 (34 Stat. 247), and June 3, 1916. The act of June 12, 1906, referred to provides:

"For the purpose of determining allowances for all travel under orders, or for officers and enlisted men on discharge, travel in the Philippine Archipelago, the Hawaiian Archipelago, the home waters of the United States, and between the United States and Alaska shall not be regarded as sea travel and shall be paid for at rates established by law for land travel within the boundaries of the United States."

Question (a) accordingly answered in the affirmative.

Held, as to question (b) that the language "at his option" in section 126 of the national defense act has operation only with reference to the preceding words "enrollment" or "original muster into the service"; that as these terms are not properly applicable to enlisted men of the Regular Army, such enlisted men on discharge are entitled to travel allowances only to the place of their acceptance for enlistment, i. e., the place of initial acceptance, it being the purpose of the act to return a man to the place from which he was taken by the Government. As to enlisted men of volunteer or militia organizations to which the terms "enrollment" or "muster into the service" may apply, they may exercise an option. If a man enters the military service as a part of a recognized organization which has been enrolled for the purpose of becoming a part of the Army, and such organization is mustered into the service at a different place from that where the members were enrolled, he may, upon discharge or muster out, be allowed travel to the place of his enrollment or to the place of his muster in, as he may elect, or, in the language of the statute, "at his option." Answering question (b) specifically, an enlisted man of the Regular Army is entitled to travel pay only to the place of his acceptance for enlistment. (Comp. W. W. Warwick, June 26, 1916; War Dept. Bull. 18, July 8, 1916.)

An enlisted man was arrested and tried by the civil authorities on a charge of burglary. His trial resulted in conviction, but the sentence was suspended and the soldier returned to the military authorities. About a month thereafter he was discharged by order of the department commander because "convicted by a civil court of the crime of burglary." The question was presented whether he was entitled to travel pay upon his discharge. Section 126, national defense act of June 3, 1916, declares that enlisted men when discharged from the service, "except by way of punishment for an offense," shall be entitled to the travel allowances therein provided.

Held, that upon the discharge of a soldier he is entitled to travel pay unless his discharge was (a) by way of punishment for an offense, (b) by way of favor or for his own convenience, or (c) he was withdrawn from the military service by the civil authorities, and that in the instant case the soldier must be regarded as having by his own conduct created the conditions which caused his separation from the military service under (c), and that he was therefore not entitled to travel pay upon his discharge. (Comp. Treas., July 23, 1917; War Dept. Bull. 49, Aug. 22, 1917.)

An enlisted man discharged to accept a commission in the Officers' Reserve Corps, and immediately called into active service, is not entitled to a travel allowance under the provisions of paragraphs 1296 and 1378, Army Regulations, and section 126 of the national defense act of June 3, 1916. This decision is

1045b. *Same—Applies to enlisted men of National Guard on discharge from United States.*—Nothing contained in the Act making appropriations for the support of the Army for the fiscal year nineteen hundred and seventeen shall be construed as precluding the payment of travel allowance as provided in section one hundred and twenty-six of the Act approved June third, nineteen hundred and sixteen, to enlisted men of the National Guard on their discharge from the service of the United States, and the appropriation for the transportation of the Army and its supplies for the fiscal year nineteen hundred and seventeen shall be available for this purpose and also for the purpose of paying travel pay to officers of the National Guard on their discharge from the service of the United States, as prescribed in the Act approved March second, nineteen hundred and one. *Act of Sept. 8, 1916 (39 Stat. 810).*

1046a. *Sea travel on discharge.*—For sea travel on discharge transportation and subsistence only shall be furnished to enlisted men. *Sec. 126, Act of June 3, 1916 (39 Stat. 217).*

1064a. *Alien enemies not admitted to citizenship.*—No alien who is a native citizen or subject, or a denizen of any country, state, or sovereignty with which the United States are at war, at the time of his application, shall be then admitted to become a citizen of the United States. *Sec. 2171, R. S.*

based upon a ruling of the Comptroller of the Treasury (24 Comp. Dec. 345) that an enlisted man discharged to enable him to reenlist was not within the meaning of the statute as he was not discharged from the service. Where, however, a soldier so discharged to accept a commission is not at once called to active duty but proceeds to his home and from there is subsequently ordered on active duty, he is entitled to travel pay as a discharged enlisted man from the place of his discharge to the place of his enlistment. (National defense act of June 3, 1916, sec. 126), and to mileage from the place where he received his orders placing him on active duty (A. R. 1296—C. A. R. No. 62, Nov. 5, 1917; Dig. Opin. J. A. G., January, 1918.)

CHAPTER XXVII.

THE TROOPS OF THE LINE.

	Par.		Par.
Cavalry	1071a-1075a	Composition of regiment.....	1090c
Composition and organization of regiment	1071a	Composition of gun or howitzer battery	1091a
Provisional organization of cav- alry into field artillery or in- fantry	1071b	Same—Packmaster, assistant, and cargador for mountain battery in absence of enlisted men of Quartermaster Corps for such positions.....	1091b
Reorganization as cavalry regi- ments on termination of war.....	1071c	Composition of headquarters company in regiment of two battalions	1091c
Composition of squadrons and troops	1074a	Same—Regiment of three bat- talions.....	1091d
Composition of headquarters troops	1074b	Composition of supply company in regiment of two battalions.....	1091e
Composition of machine-gun troops	1074c	Same—Regiment of three bat- talions	1091f
Composition of supply troops.....	1074d	Composition of gun or howitzer battalions	1091g
Commissioned officers for troop organizations to be assigned from officers authorized.....	1074e	Increase of noncommissioned officers and privates for head- quarters and supply compa- nies of regiments of two and three battalions.....	1091h
Increase of noncommissioned officers and privates.....	1075a	Infantry	1095a-1093a
Subscriptions for newspapers and periodicals under Chief of Coast Artillery.....	1083a	Composition and organization of regiment.....	1095a
Officers retired before separa- tion of Field and Coast Ar- tillery to be regarded as hav- ing belonged to Field Artil- lery	1084a	Composition of battalion and company	1095b
Coast Artillery Corps.....	1086a-1086c	Composition of headquarters company	1097a
Composition of	1086a	Composition of machine-gun company	1097b
Same—Composition and number of rated men; pay of cox- swains	1086b	Composition of supply company.....	1097c
Chief of Coast Artillery to have rank of major general.....	1086c	Comissioned officers for com- pany organizations to be as- signed from officers author- ized	1097d
Field Artillery	1090a-1091f	Increase in noncommissioned officers and privates in com- panies of	1098a
Composition and organization of	1090a	Infantry band organization at recruiting depots.....	1099a
Organization of ammunition and depot batteries and battalions and artillery parks in time of actual or threatened hostili- ties	1090b		

CAVALRY.

1071a. Composition and organization of regiment.—Each regiment of Cavalry shall consist of one colonel, one lieutenant colonel, three majors, fifteen captains, sixteen first lieutenants, sixteen second lieutenants, one headquarters troop, one machine-gun troop, one supply troop, and twelve troops organized into three squadrons of four troops each. *Sec. 18, Act of June 3, 1916 (39 Stat. 178).*

(See paragraph 929i for increase of 17 colonels of Cavalry and 4 colonels of Infantry to equalize inequalities in past promotions of officers of the line of the Army. See, also, paragraph 935a, ante, for authorization for transfer and promotion or transfer without promotion from one arm of the service to another, in order to lessen inequalities in promotion due to increase in number of officers of line of the Army.)

1071b. Provisional organization of Cavalry into Field Artillery or Infantry.—During the present emergency the President be, and he is hereby, authorized to organize provisionally as Field Artillery or Infantry and to use as Field Artillery or Infantry during the existing emergency such regiments of Cavalry as he may designate.¹ *Act of Oct. 6, 1917 (40 Stat. 398).*

1071c. Same—Reorganization as cavalry regiments on termination of war.—Immediately after the termination of the existing emergency such regiments shall be reorganized as Cavalry regiments in accordance with the prescribed organization of such regiments. *Id.*

1074a. Composition of squadrons and troops.—Each squadron shall consist of one major, one first lieutenant (squadron adjutant), and four troops. Each troop in squadron shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one mess sergeant, one supply sergeant, one stable sergeant, five sergeants, eight corporals, two cooks, two horseshoers, one saddler, two buglers, ten privates (first class), and thirty-six privates.² *Sec. 18, Act of June 3, 1916 (39 Stat. 178).*

(For authorization for 1,000 additional sergeants for detail from the Infantry, Cavalry, Field Artillery, Corps of Engineers, Coast Artillery Corps, Medical Department, and Signal Corps of the Regular Army, with corresponding organizations of the National Guard, to assist in the instruction of its personnel and the care of property; and the similar detail of 100 additional sergeants with the disciplinary organizations at the United States Disciplinary Barracks, see paragraph 1332a.)

¹ Regiments of Cavalry organized provisionally as Field Artillery under the act of October 6, 1917, cease for the time being to be Cavalry regiments. An officer of such a reorganized regiment should wear the insignia and sign his rank as of the regiments of Field Artillery in which he is serving. (War Dept. Bull. 75, Dec. 31, 1917.)

Under the third paragraph of section 1 of the selective-draft act, the President has authority to provide that Cavalry regiments organized provisionally as Field Artillery may retain their existing noncommissioned personnel until absorbed, but no special authority can be given to a single organization to do so. (*Id.*)

² *Held*, that the national-defense act by not including farriers in the composition prescribed for Cavalry units abolished that grade with the result that enlisted men holding the grade of farrier reverted to the grade of private and will continue to serve as such unless they are appointed to some grade authorized by the national-defense act. (War. Dept. Bull. 34, Sept. 12, 1916.)

1074b. *Composition of headquarters troops.*—Each headquarters troops shall consist of one captain (regimental adjutant), one regimental sergeant major, three squadron sergeants major, one first sergeant (drum major), two color sergeants, one mess sergeant, one supply sergeant, one stable sergeant, one sergeant, two cooks, one horseshoer, one saddler, two privates (first class), and nine privates, one band leader, one assistant band leader, one sergeant bugler, two band sergeants, four band corporals, two musicians (first class), four musicians (second class), and thirteen musicians (third class).¹ *Id.*

1074c. *Composition of machine-gun troops.*—Each machine-gun troop shall consist of one captain, one first lieutenant, two second lieutenants, one first sergeant, one mess sergeant, one supply sergeant, one stable sergeant, two horseshoers, five sergeants, six corporals, two cooks, one mechanic, one saddler, two buglers, twelve privates (first class), and thirty-five privates. *Id.*

1074d. *Composition of supply troops.*—Each supply troop shall consist of one captain (regimental supply officer), two second lieutenants, three regimental supply sergeants, one first sergeant, one mess sergeant, one stable sergeant, one corporal, one cook, one horseshoer, one saddler, and one wagoner² for each authorized wagon of the field and combat train. *Id.* 179.

(For the next ensuing provision of this section see paragraph 1075a.)

1074e. *Commissioned officers for troop organizations to be assigned from officers authorized.*—The commissioned officers required for the Cavalry headquarters, supply, and machine-gun troops, and for the troops organized into squadrons, shall be assigned from those hereinbefore authorized. *Id.*

(For the provision of this section immediately preceding this paragraph see 1075a.)

1075a. *Increase of noncommissioned officers and privates.*—The President may, in his discretion, increase each troop of Cavalry by ten privates (first class) and twenty-five privates; the headquarters

¹ *Held*, that service of a commissioned officer in command of such a headquarters company or troop constitutes service "with a troop, battery, or company," within the purview of the detached-service act of 1912. (War Dept. Bull. 39, Oct. 6, 1916.)

² An enlisted man who was furloughed to the Regular Army Reserve in the grade of wagoner of Cavalry was, upon being recalled to the colors for active duty by the President's summons of July 18, 1916, taken up and carried on the rolls as private, under the view that the grade of wagoner of Cavalry was abolished by the national-defense act of June 3, 1916.

Held, that the grade of wagoner of Cavalry was not abolished by the national-defense act, but was preserved in the supply company created for each regiment of Cavalry as provided by section 18 of that act, and that therefore the soldier under consideration was entitled to be carried on the rolls in the grade of wagoner of Cavalry and paid as such, in accordance with paragraph 86 of the Regulations for the Regular Army Reserve, 1916. (War Dept. Bull. 26, May 7, 1917.)

troop by two sergeants, five corporals, one horseshoer, five privates (first class), and eighteen privates; each machine-gun troop by three sergeants, two corporals, one mechanic, one private (first class), and fourteen privates; each supply troop by one corporal, one cook, one saddler, and one horseshoer. *Id.*

(For the provision of this section immediately preceding this paragraph see paragraph 1074d, and for the ensuing provision see paragraph 1074e.)

1083a. *Subscriptions for newspapers and periodicals under Chief of Coast Artillery.*—Section thirty-six hundred and forty-eight, Revised Statutes, shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation. *Act of Mar. 4, 1915 (38 Stat. 1063).*

1084a. *Officers retired before separation of Field and Coast Artillery to be regarded as having belonged to Field Artillery.*—In determining the rights of officers in the last proviso of section twenty-four¹ of said national-defense Act, officers retired before the separation of the Field Artillery from the Coast Artillery shall be regarded as having belonged to the Field Artillery. *Act of Aug. 29, 1916 (39 Stat. 623).*

(For provisions of this chapter relating to the Field Artillery see paragraph 1090a–1091f.)

COAST ARTILLERY CORPS.

1086a. *Composition of.*—The Coast Artillery Corps shall consist of one Chief of Coast Artillery, with the rank of brigadier general;² twenty-four colonels; twenty-four lieutenant colonels; seventy-two majors; three hundred and sixty captains; three hundred and sixty first lieutenants; three hundred and sixty second lieutenants; thirty-one sergeants majors, senior grade; sixty-four sergeants major, junior grade; forty-one master electricians; seventy-two engineers; ninety-nine electrician sergeants, first class; two hundred and seventy-five assistant engineers; ninety-nine electrician sergeants, second class; one hundred and six firemen; ninety-three radio sergeants; sixty-two master gunners; two hundred and sixty-three first sergeants; two hundred and sixty-three supply sergeants; two hundred and sixty-three mess sergeants; two thousand one hundred and four sergeants; three thousand one hundred and fifty-six corporals; five hundred and twenty-six cooks; five hundred and twenty-six mechanics; five hundred and twenty-six buglers; five thousand two hundred and twenty-five privates, first class; fifteen thousand six hundred and seventy-five privates; and eighteen bands,

¹ See paragraph 958f for the provision referred to.

² For provision in section 3, Act of October 6, 1917, giving the Chief of Coast Artillery the rank, pay, and allowances of major general, see paragraph 373, ante.

³ For composition of the Engineer band see paragraph 792, ante.

organized as hereinbefore provided for the Engineer Band.³ *Sec. 20, Act of June 3, 1916 (39 Stat. 180).*

(For authorization for 1,000 additional sergeants for detail from the Infantry, Cavalry, Field Artillery, Corps of Engineers, Coast Artillery Corps, Medical Department, and Signal Corps of the Regular Army, with corresponding organizations of the National Guard, to assist in the instruction of its personnel and the care of property; and the similar detail of 100 additional sergeants with the disciplinary organizations at the United States Disciplinary Barracks, see paragraph 1332a.)

Held, that the effect of the provision quoted from section 28 is only to prevent the reduction in the pay of grades and has no application where a grade is abolished and a new grade created in lieu thereof, as in the present case, and that, therefore, the band corporal who was reduced from a principal musician, could not, while he held the position of band corporal, receive more as base pay than that prescribed by the statute for that grade. (War Dept. Bull. 39, Oct. 6, 1916.)

The plan of organization of the Engineer units is provided for in section 11 of the same act. The grade of mess sergeant is included in each company, but not specified for the band organization.

Held, that the organization of each of the 18 bands of the Coast Artillery Corps being legally the same as that of the Engineer band, the grade of sergeant is not included, since this grade is not included in the Engineer Corps as prescribed by statute. It is the intention of that law that the 263 mess sergeants authorized in section 20 of the act of June 3, 1916, shall suffice for all organizations of the Coast Artillery Corps, and band sergeants of said corps may not be detailed as mess sergeants. (Comp. Treas., Apr. 10, 1917; War Dept. Bull. 26, May 7, 1917.)

1086b. Same—Composition and number of rated men; pay of coxswains.—The rated men of the Coast Artillery Corps shall consist of casemate electricians; observers, first class; plotters; chief planters; coxswains; chief loaders; observers, second class; gun commanders and gun pointers. The total number of rated men shall not exceed one thousand seven hundred and eighty-four. Coxswains shall receive \$9 per month in addition to the pay of their grade. *Id.*

1086c. Chief of Coast Artillery to have rank of major general.—Hereafter the Chief of Coast Artillery shall have the rank, pay, and allowances of a major general. *Act of July 6, 1916 (39 Stat. 349).*

FIELD ARTILLERY.¹

1090a. Composition and organization of.—The Field Artillery, including mountain artillery, light artillery, horse artillery, heavy artillery (field and siege types), shall consist of one hundred and twenty-six gun or howitzer batteries organized into twenty-one regiments. *Sec. 19, Act of June 3, 1916 (39 Stat. 179).*

(For provision that certain officers retired before the separation of the Field Artillery from the Coast Artillery shall be regarded as having belonged to the Field Artillery in determining their rights, see paragraph 1084a, ante.)

1090b. Organization of ammunition and depot batteries and battalions and artillery parks in time of actual or threatened hostilities.—In time of actual or threatened hostilities the President is authorized to organize such number of ammunition batteries and

¹For authorization for the provisional organization of cavalry into Field Artillery or Infantry during the present emergency, see paragraphs 1071b and 1071c, ante.

battalions, depot batteries and battalions, and such artillery parks, with such number and grades of personnel and such organizations as he may deem necessary. The officers necessary for such organization shall be supplied from the Officers' Reserve Corps provided by this Act and by temporary appointment, as authorized by section eight of the Act of Congress approved April twenty-fifth, nineteen hundred and fourteen.¹ The enlisted men necessary for such organizations shall be supplied from the Regular Army Reserve provided by this Act or from the Regular Army. *Id.*

1090c. Composition of regiment.—Each regiment of Field Artillery shall consist of one colonel, one lieutenant colonel, one captain, one headquarters company, one supply company, and such number of gun and howitzer battalions as the President may direct. Nothing shall prevent the assembling, in the same regiment, of gun and howitzer battalions of different calibers and classes. *Id.*

1091a. Composition of gun or howitzer battery.—Each gun or howitzer battery shall consist of one captain, two first lieutenants, two second lieutenants, one first sergeant, one supply sergeant, one stable sergeant, one mess sergeant, six sergeants, thirteen corporals, one chief mechanic, one saddler, two horseshoers, one mechanic, two buglers, three cooks, twenty-two privates (first class), and seventy-one privates. *Id.*

{For authorization of 1,000 additional sergeants for detail from the Infantry, Cavalry, Field Artillery, Corps of Engineers, Coast Artillery Corps, Medical Department, and Signal Corps of the Regular Army, with corresponding organizations of the National Guard, to assist in the instruction of its personnel and the care of property; and the similar detail of 100 additional sergeants with the disciplinary organizations at the United States Disciplinary Barracks, see paragraph 1332a.)

1091b. Same—Packmaster, assistant, and cargador for mountain battery in absence of enlisted men of Quartermaster Corps for such positions.—When no enlisted men of the Quartermaster Corps are attached for such positions there shall be added to each battery of mountain artillery one packmaster (sergeant, first class), one assistant packmaster (sergeant), and one cargador (corporal).² *Id.*

1091c. Composition of headquarters company in regiment of two battalions.—Each headquarters company of a regiment of two battalions shall consist of one captain, one first lieutenant, one regimental sergeant major, two battalion sergeants major, one first sergeant, two color sergeants, one mess sergeant, one supply sergeant, one stable sergeant, two sergeants, nine corporals, one horseshoer, one

¹ See chapter entitled "Volunteers," paragraph 1389, or 38 Stat. 349.

² Held, that it is clearly the intent of the statute that said rates in the Quartermaster Corps shall apply to enlisted men occupying the positions of packmaster, assistant packmaster, and cargador, respectively, whether the men are assigned from the Quartermaster Corps or are "added" as provided by the act. (War Dept. Bull. 28, Aug. 18, 1916.)

saddler, one mechanic, three buglers, two cooks, five privates (first class), fifteen privates, one band leader, one assistant band leader, one sergeant bugler, two band sergeants, four band corporals, two musicians (first class), four musicians (second class), and thirteen musicians (third class).¹ *Id.*

1091d. *Same—Regiment of three battalions.*—When a regiment consists of three battalions there shall be added to the headquarters company one battalion sergeant major, one sergeant, three corporals, one bugler, one private (first class), and five privates. When no enlisted men of the Quartermaster Corps are attached for such positions, there shall be added to each mountain artillery headquarters company one packmaster (sergeant, first class), one assistant packmaster (sergeant), and one cargador (corporal).² *Id.*

1091e. *Composition of supply company in regiment of two battalions.*—Each supply company of a regiment of two battalions shall consist of one captain, one first lieutenant, two regimental supply sergeants, one first sergeant, one mess sergeant, one corporal, one cook, one horseshoer, one saddler, two privates, and one wagoner for each authorized wagon of the field train. *Id.* 180.

1091f. *Same—Regiment of three battalions.*—When a regiment consists of three battalions there shall be added to the supply company one second lieutenant, one regimental supply sergeant, one private, and one wagoner for each additional authorized wagon of the field train. *Id.*

1091g. *Composition of gun or howitzer battalions.*—Each gun or howitzer battalion shall consist of one major, one captain, and batteries as follows: Mountain artillery battalions and light artillery gun or howitzer battalions serving with the field artillery of Infantry divisions shall contain three batteries; horse artillery battalions and heavy field artillery gun or howitzer battalions shall contain two batteries. *Id.*

¹ *Held*, that service of a commissioned officer in command of such a headquarters company or troop constitutes service "with a troop, battery, or company," within the purview of the detached-service act of 1912. (War Dept. Bull. 39, Oct. 6, 1916.)

The question was presented whether a regimental adjutant of Field Artillery is to be deemed present for duty with a troop, battery, or company, within the meaning of the detached-service act of August 24, 1912.

Held, as follows: As to a regiment of infantry, it has been held that the adjutant thereof is on duty "with a troop, battery, or company" within the purview of the detached-service law, because he is in command of the headquarters company. (Bull. 39, W. D., 1916, p. 12.) While the national-defense act provides that a regimental adjutant of Infantry or Cavalry shall command the headquarters company or headquarters troop, as the case may be, this is not so as to the adjutant of a Field Artillery regiment. He does not command the headquarters company, the supply company, nor any battery in the regiment, other captains having been provided as component parts of those organizations for that purpose. (Sec. 19, national-defense act.) A regimental adjutant of Field Artillery is, therefore, an additional officer, and he is not, so long as he occupies his normal status as adjutant, on duty with a troop, battery, or company, within the meaning of the detached-service act of 1912. (War Dept. Bull. 3, Jan. 19, 1917.)

² Footnote to preceding paragraph also applies to this.

1091h. *Increase of noncommissioned officers and privates for headquarters and supply companies of regiments of two and three battalions.*—The President may, in his discretion, increase the headquarters company of a regiment of two battalions by two sergeants, five corporals, one horseshoer, one mechanic, one private (first class), and six privates; the headquarters company of a regiment of three battalions by one sergeant, seven corporals, one horseshoer, one mechanic, two cooks, two privates (first class), and seven privates; the supply company of a regiment of two battalions by one corporal, one cook, one horseshoer, and one saddler; the supply company for a regiment of three battalions by one corporal, one cook, one horseshoer, and one saddler; a gun or howitzer battery by three sergeants, seven corporals, one horseshoer, two mechanics, one bugler, thirteen privates (first class), and thirty-seven privates. *Id.*

INFANTRY.¹

1095a. *Composition and organization of regiment.*—Each regiment of Infantry shall consist of one colonel, one lieutenant colonel, three majors, fifteen captains, sixteen first lieutenants, fifteen second lieutenants, one headquarters company, one machine-gun company, one supply company, and twelve Infantry companies organized into three battalions of four companies each. *Sec. 17, act of June 3, 1916 (39 Stat. 177).*

(See paragraph 929i, ante, for increase of 17 colonels of Cavalry and 4 colonels of Infantry to equalize inequalities in past promotions of officers of the line of the Army. See also paragraph 935a, ante, for authorization for transfer and promotion or transfer without promotion from one arm of the service to another, in order to lessen inequalities in promotion due to increase in number of officers of line of the Army.)

1095b. *Composition of battalion and company.*—Each battalion shall consist of one major, one first lieutenant, mounted (battalion adjutant), and four companies. Each Infantry company in battalion shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one mess sergeant, one supply sergeant, six sergeants, eleven corporals, two cooks, two buglers, one mechanic, nineteen privates (first class), and fifty-six privates. *Id.* 178.

(For authorization for 1,000 additional sergeants for detail from the Infantry, Cavalry, Field Artillery, Corps of Engineers, Coast Artillery Corps, Medical Department, and Signal Corps of the Regular Army, with corresponding organizations of the National Guard, to assist in the instruction of its personnel and the care of property; and the similar detail of 100 additional sergeants with the disciplinary organizations at the United States Disciplinary Barracks, see paragraph 1332a.)

1097a. *Composition of headquarters company.*—Each Infantry headquarters company shall consist of one captain, mounted (regimental adjutant); one regimental sergeant major, mounted; three battalion sergeants major, mounted; one first sergeant (drum ma-

¹ For authorization for the provisional organization of cavalry into field artillery or infantry during the present emergency, see paragraphs 1071b and 1071c, ante.

for); two color sergeants; one mess sergeant; one supply sergeant; one stable sergeant; one sergeant; two cooks; one horseshoer; one band leader; one assistant band leader; one sergeant bugler; two band sergeants; four band corporals; two musicians, first class; four musicians, second class; thirteen musicians, third class; four privates, first class, mounted; and twelve privates, mounted.¹ *Id.*

1097b. *Composition of machine-gun company.*—Each Infantry machine-gun company shall consist of one captain, mounted; one first lieutenant, mounted; two second lieutenants, mounted; one first sergeant, mounted; one mess sergeant; one supply sergeant, mounted; one stable sergeant, mounted; one horseshoer; five sergeants; six corporals; two cooks; two buglers; one mechanic; eight privates, first class; and twenty-four privates. *Id.*

1097c. *Composition of supply company.*—Each Infantry supply company shall consist of one captain, mounted; one second lieutenant, mounted; three regimental supply sergeants, mounted; one first sergeant, mounted; one mess sergeant; one stable sergeant; one corporal, mounted; one cook; one saddler; one horseshoer; and one wagoner for each authorized wagon of the field and combat train. *Id.*

(For the ensuing provision of this section see paragraph 1098a.)

1097d. *Commissioned officers for company organizations to be assigned from officers authorized.*—The commissioned officers required for the Infantry headquarters, supply, and machine-gun companies and for the companies organized into battalions shall be assigned from those hereinbefore authorized. *Id.*

(For the provision of this section immediately preceding this paragraph see paragraph 1098a.)

1098a. *Increase in noncommissioned officers and privates in companies of.*—The President may in his discretion increase a company of Infantry by two sergeants, six corporals, one cook, one mechanic, nine privates (first class), and thirty-one privates; an Infantry machine-gun company by two sergeants, two corporals, one mechanic, four privates (first class), and twelve privates. *Id.*

(For the provision of this section immediately preceding this paragraph see paragraph 1097c, and for ensuing provision see paragraph 1097d.)

1099a. *Infantry band organization at recruiting depots.*—Hereafter one of the companies at each recruiting depot shall have the organization of an Infantry band, to which recruits showing an aptitude for music may be attached for examination and instruction before assignment to organizations in the Army. *Act of Mar. 3, 1909 (35 Stat. 745).*

¹*Held*, that service of a commissioned officer in command of such a headquarters company or troop constitutes service "with a troop, battery, or company," within the purview of the detached-service act of 1912. (War Dept. Bull. 39, Oct. 6, 1916.)

CHAPTER XXVIII.

THE UNITED STATES MILITARY ACADEMY—THE ARMY WAR COLLEGE—THE SERVICE SCHOOLS.

	Par.		Par.
The Military Academy ..	1106a-1179a	Appointment from the Philip- pines	1143a
Existing laws relating to the Military Academy, officers and enlisted men on retired list, detached and additional offi- cers, etc	1106a	Supplies, technical and scien- tific, for departments of in- struction, purchase of, by con- tract or otherwise in discre- tion of Secretary of War	1158a
Vacancies, how filled	1108a	Deficient cadets	1162a-1162e
Officer of Army holding position of professor, with certain service, to have rank, pay, etc., of colonel	1108b	Second examination where de- ficient in one subject	1162a
Assignment of assistant pro- fessor to department of law ..	1116a	Same—Applicable to former cadets who failed in not more than two subjects during cur- rent year	1162b
Pay and allowances of associ- ate professor of mathematics; detail of from officers of Army	1117a	Same—Not to be given more than one reexamination	1162c
Rank, pay, and allowances of professor who has served not less than 33 years in the Army, one-third of which has been at the Military Acad- emy	1125a	Honorably discharged eligible for appointment as second lieutenant under national-de- fense act	1162d
Custodian of gymnasium to act as trainer of athletic team ..	1131a	Not eligible for appointment in Marine Corps until after graduation of his class	1162e
Master of the sword, relative rank, pay, and allowances ..	1132a	Appoint as second lieutenant and retire William H. Kehoe, late cadet	1162f
Detail of commissary sergeant ..	1136a	Same—Clyde R. Altman	1162g
Retirement of present manager of cadet store, pay of	1136b	Board of Visitors	1174a
Corps of Cadets	1139a-1143a	Compensation of Visitors	1174b
Number and appointment, in- cluding appointments from honor graduates of colleges ..	1139a	Extra pay for overseer of water- works	1176a
Same—Appointment of 180 from enlisted men of Regular Army and the National Guard	1139b	Rank and pay of enlisted man at headquarters, Corps of Cadets	1176b
Same—Appointments authorized to be divided into four annual increments	1139c	Subscriptions for newspapers and periodicals for	1178a
Appointment of board of officers to report upon needs as to buildings to accommodate in- creased Corps of Cadets	1139d	Wharfage dues to be charged ..	1178b
Admission of successor after three years' course	1141a	Settlement of accounts between other bureaus of War Depart- ment, etc., and Military Acad- emy	1179a
Same—Repealed, but appoint- ment of each member of pres- ent Corps validated	1141b	Translator for the Army serv- ice schools	1183a
		Assignment of second lieuten- ants in Field Artillery to bat- teries at School of Fire for Field Artillery for practical instruction	1183b

THE MILITARY ACADEMY.

1106a. *Existing laws relating to the Military Academy, officers and enlisted men on retired list, detached and additional officers, etc.*—All existing laws pertaining to or affecting the United States Military Academy and civilian or military personnel on duty thereat in any capacity whatever, the officers and enlisted men on the retired list, the detached and additional officers under the Act of Congress approved March third, nineteen hundred and eleven, recruiting parties, recruit depots and unassigned recruits, service school detachments, United States disciplinary barracks guards, disciplinary organizations, the Philippine Scouts, and Indian scouts shall continue and remain in force except as herein specifically provided otherwise. *Sec. 22, Act of June 3, 1916 (39 Stat. 181).*

1108a. *Vacancies, how filled.*—The President of the United States be authorized to fill any vacancies occurring at said academy by reason of death, or other cause, of any person appointed by him. *Act of Mar. 3, 1875 (18 Stat. 467).*

1108b. *Officer of Army holding position of professor, with certain service, to have rank, pay, etc., of colonel.*—Any officer of the United States Army now holding the position of permanent professor at the United States Military Academy who on July first, nineteen hundred and fourteen, should have served not less than thirty-three years in the Army, one-third of which service shall have been as professor and instructor at the Military Academy, shall on that date have the rank, pay, and allowances of a colonel in the Army. *Act of Aug. 9, 1912 (37 Stat. 264).*

1116a. *Assignment of assistant professor to department of law.*—Hereafter there may be assigned to the department of law one assistant professor. *Act of Jan. 16, 1895 (28 Stat. 630).*

1117a. *Pay and allowances of associate professor of mathematics; detail of from officers of Army.*—Hereafter the associate professor of mathematics shall have pay and allowances of a major, and the position shall be filled by the detail of an officer from the Army at large. *Act of Mar. 3, 1905 (33 Stat. 850).*

1125a. *Rank, pay, and allowances of professor who has served not less than thirty-three years in the Army, one-third of which has been at the Military Academy.*—Any officer of the United States Army now holding the position of permanent professor at the United States Military Academy who on July first, nineteen hundred and sixteen, should have served not less than thirty-three years in the Army, one-third of which service shall have been as professor and instructor at the Military Academy, shall on that date have the rank, pay, and allowances of a colonel in the Army. *Act of Aug. 11, 1916 (39 Stat. 493).*

1131a. Custodian of gymnasium to act as trainer of athletic teams.—For pay of one custodian of gymnasium, who shall hereafter be selected and appointed by the Superintendent of the Military Academy under Schedule A, classified positions excepted from examination under rule two, clause three, civil-service rules, who shall be qualified to act as trainer for the various cadet athletic teams, one thousand two hundred dollars. *Act of Mar. 3, 1911 (36 Stat., 1019).*

1132a. Master of the sword, relative rank, pay, and allowances.—The master of the sword shall have the relative rank and shall be entitled to the pay, allowances, and emoluments of a major during the active service of the present incumbent of that office. *Act of May 29, 1917 (40 Stat. 90).*

1136a. Detail of commissary sergeant.—The Secretary of War is hereby authorized to detail a commissary-sergeant to act as assistant to the commissary of cadets. *Act of June 30, 1882 (22 Stat. 123).*

1136b. Retirement of present manager of cadet store, pay of.—The present manager of the cadet store shall, on his own application, after forty years' service as clerk, superintendent, and manager of said store, be entitled to be placed on the retired list of the Army with the pay of a retired pay clerk, Quartermaster Corps, of the same period of service. *Act of Aug. 11, 1916 (39 Stat. 493).*

CORPS OF CADETS.

1139a. Number and appointment, including appointments from honor graduates of colleges.—The Corps of Cadets at the United States Military Academy shall hereafter consist of two for each congressional district, two from each Territory, four from the District of Columbia, two from natives of Porto Rico, four from each State at large, and eighty from the United States at large, twenty of whom shall be selected from among the honor graduates of educational institutions having officers of the Regular Army detailed as professors of military science and tactics under existing law or any law hereafter enacted for the detail of officers of the Regular Army to such institutions, and which institutions are designated as "honor schools" upon the determination of their relative standing at the last preceding annual inspection regularly made by the War Department. They shall be appointed by the President and shall, with the exception of the eighty appointed from the United States at large, be actual residents of the congressional or Territorial district, or of the District of Columbia, or of the island of Porto Rico, or of the States, respectively, from which they purport to be appointed. *Sec. 1, Act of May 4, 1916 (39 Stat. 62).*

(For the ensuing provision of this section see paragraph 1141b.)

1139b. *Same—Appointment of one hundred and eighty from enlisted of Regular Army and the National Guard.*—The President is hereby authorized to appoint cadets to the United States Military Academy from among enlisted men in number as nearly equal as practicable of the Regular Army and the National Guard between the ages of nineteen and twenty-two years who have served as enlisted men not less than one year, to be selected under such regulations as the President may prescribe: *Provided*, That the total number so selected shall not exceed one hundred and eighty at any one time.¹ *Sec. 2, id.*

1139c. *Same—Appointments authorized to be divided into four annual increments.*—Under such regulations as the President shall prescribe, the increase in the number of cadets provided for by this Act shall be divided into four annual increments, which shall be as nearly equal as practicable and be equitably distributed among the sources from which appointments are authorized. *Sec. 3, id.*

1139d. *Appointment of board of officers to report upon needs as to buildings, to accommodate increased Corps of Cadets.*—The Secretary of War is authorized and directed to appoint three officers of the Army, whose duty it shall be to investigate and to make report to Congress on the first Monday in December, nineteen hundred and sixteen, what is necessary to be done in the way of buildings and other improvements to accommodate and care for the increased Corps of Cadets, as provided by the Act of May fourth, nineteen hundred and sixteen, together with the probable cost thereof. *Act of Aug. 11, 1916 (39 Stat. 503).*

1141a. *Admission of successor after three years' course.*—Until the apportionment under the Fourteenth Census of the United States becomes effective, whenever any cadet shall have finished three years of his course at the academy his successor may be admitted. *Act of Mar. 4, 1915 (38 Stat. 1128).*

1141b. *Same—Repealed, but appointment of each member of present corps validated.*—So much of the Act of Congress approved March fourth, nineteen hundred and fifteen (Thirty-eighth Statutes at Large, page eleven hundred and twenty-eight), as provides for the admission of a successor to any cadet who shall have finished three years of his course at the academy be, and the same is hereby, repealed: *Provided further*, That the appointment of each member of the present Corps of Cadets is validated and confirmed. *Sec. 1, Act of May 4, 1916 (39 Stat. 62).*

(For the preceding provision of this section see par. 1139a.)

¹ *Held*, that the statute contemplates a year's service in one or the other of the forces named, and that service as an enlisted man in the Navy could not be counted for the purposes of the act.

Held, that to satisfy the requirements of the statute the prior service must have been rendered in that branch from which the application is made. (War Dept. Bull. 9, Feb. 2, 1917.)

1143a. *Appointment from the Philippines.*—The four Filipino cadets authorized by the Act of May twenty-eighth, nineteen hundred and eight,¹ to be designated by the Philippine Commission to receive instructions at the United States Military Academy, shall hereafter be designated by the Governor General of the Philippine Islands. *Act of Aug. 11, 1916 (39 Stat. 493).*

1158a. *Supplies, technical and scientific, for departments of instruction, purchase of, by contract or otherwise, in discretion of Secretary of War.*—All technical and scientific supplies for the departments of instruction of the Military Academy shall be purchased by contract or otherwise, as the Secretary of War may deem best. *Act of Mar. 4, 1915 (38 Stat. 1136).*

DEFICIENT CADETS.

1162a. *Second examination where deficient in one subject.*—Whenever a cadet shall fail to pass any required examination because deficient in any one subject of instruction he shall have the right to apply for a second examination regarding such subject by making written application therefor to the Academic Board within ten days after being officially notified of such failure. The examination demanded shall be held within sixty days from the date of such application, and if the cadet being otherwise qualified shall pass the same by compliance with the requirements existing at the time of the first examination, he shall be readmitted to the academy. *Act of Aug. 11, 1916 (39 Stat. 493).*

1162b. *Same—Applicable to former cadets who failed in not more than two subjects during current year.*—This proviso shall apply to those former cadets who failed in not more than two subjects during the current year, who shall make application for such examination within twenty days after the approval of this Act.—*Id.*

1162c. *Same—Not to be given more than one reexamination.*—Any cadet who fails to pass any required examination shall have no more than one reexamination. *Id.*

1162d. *Honorably discharged eligible for appointment as second lieutenants under national-defense Act.*—Nothing contained in section thirteen hundred and twenty-five of the Revised Statutes shall render ineligible any former cadet honorably discharged from the Military Academy for deficiency in studies, if otherwise qualified, as a civilian candidate for appointment to any vacancy in the grade of second lieutenant under class six² of the national-defense Act approved June third, nineteen hundred and sixteen.—*Act of Aug. 11, 1916 (39 Stat. 493), amending sec. 1325, R. S.*

¹ See paragraph 1143, ante, or 35 Stat. 441.

² See paragraph 331d, ante, or 39 Stat. 182.

1162e. *Not eligible for appointment in Marine Corps until after graduation of his class.*—No midshipman at the United States Naval Academy or cadet at the United States Military Academy who fails to graduate therefrom shall be eligible for appointment as a commissioned officer in the Marine Corps until after the graduation of the class of which he was a member. *Act of Aug. 29, 1916 (39 Stat. 611).*

1162f. *Appoint as second lieutenant and retire William H. Kehoe, late cadet.*—The President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint William Harold Kehoe, late a cadet at the Military Academy at West Point, to the position of second lieutenant of Infantry of the Army, and to place him upon the retired list with the pay of a retired second lieutenant of Infantry. *Act of May 29, 1917 (40 Stat. 100).*

1162g. *Same—Clyde R. Altman.*—The President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint Clyde R. Altman, late a cadet at the Military Academy at West Point, to the position of second lieutenant of Infantry of the Army, and to place him upon the retired list with the pay of a retired second lieutenant of Infantry. *Id., 101.*

1174a. *Board of visitors.*—There shall be appointed every year, in the following manner, a board of visitors, to attend the annual examination of the academy: Seven persons shall be appointed by the President, and two Senators and three Members of the House of Representatives shall be designated as visitors by the Vice President or President pro tempore of the Senate and the Speaker of the House of Representatives, respectively, at the session of Congress next preceding such examination.¹ *Sec. 1327, R. S.*

1174b. *Compensation of visitors.*—No compensation shall be made to the members of said board beyond the payment of their expenses for board and lodging while at the academy and an allowance not exceeding eight cents a mile for traveling by the shortest mail route from their respective homes to the academy and thence to their homes.² *Sec. 1329, R. S.*

¹ The act of August 9, 1912 (37 Stat. 257), paragraph 1174, ante, appears to supersede all of this section except the requirement that "there shall be appointed every year * * * a board of visitors."

² The act of August 9, 1912 (37 Stat. 257), paragraph 1174, ante, appears to supersede all of this section except the requirement that "no compensation shall be made to the members of said board beyond the payment of their expenses * * * and an allowance, * * * for traveling by the shortest mail route."

1176a. *Extra pay for overseer of waterworks.*—From the foregoing appropriations for waterworks, or from any appropriation that may hereafter be made for waterworks, a sum not to exceed seventy-five cents per day may be paid as extra-duty pay to the overseer, when such overseer is a soldier detailed for that duty. *Act of Mar. 2, 1901 (31 Stat. 920).*

1176b. *Rank and pay of enlisted man at headquarters, Corps of Cadets.*—The enlisted man in the headquarters, United States Corps of Cadets, performing that duty has the rank, pay, and allowance of that grade (battalion sergeant major, Infantry). *Act of Aug. 11, 1916 (39 Stat. 496).*

(Similar provision in act of May 29, 1917, 40 Stat. 93.)

1178a. *Subscriptions for newspapers and periodicals for.*—Section thirty-six hundred and forty-eight, Revised Statutes, shall not apply to subscriptions for foreign, professional, and other newspapers and periodicals, to be paid for from any of the foregoing appropriations. *Act of Mar. 4, 1915 (38 Stat. 1136).*

1178b. *Wharfage dues to be charged.*—The Secretary of War is authorized to have collected from vessels using the wharf and ferry slip at West Point, New York, such wharfage dues as he may deem just, reasonable, and necessary, the same to be paid at the time of landing to the post quartermaster or his authorized agent. *Act of Mar. 4, 1915 (38 Stat. 1137).*

1179a. *Settlement of accounts between other bureaus of War Department, etc., and the Military Academy.*—Hereafter in settling transactions between appropriations for the support of the United States Military Academy and other bureaus of the War Department, or between the United States Military Academy and any other executive department of the Government, payment therefor shall be made by the disbursing officer of the United States Military Academy or of the office, bureau, or department concerned. *Act of Aug. 11, 1916 (39 Stat. 504).*

1183a. *Translator for the Army service schools.*—Not exceeding \$100 per month may be used for the payment of one translator, to be appointed by the commandant of the Army service schools,¹ with the approval of the Secretary of War. *Act of Aug. 29, 1916 (39 Stat. 620).*

(The act of May 12, 1917 (40 Stat. 41), contains a provision identical with above.)

¹ The provisions relative to the United States service schools, which precede the authorization for a translator at the Army service schools, are the same as those contained in paragraph 1183, ante.

1183b. *Assignment of second lieutenants in Field Artillery to batteries at School of Fire for Field Artillery for practical instructions.*—Officers in the grade of second lieutenant in the Field Artillery may be assigned, for the period of one year, to batteries stationed at the School of Fire for Field Artillery at Fort Sill, Oklahoma, for the purpose of pursuing courses of practical instruction in field artillery: *Id.* 621.

(The act of May 12, 1917 (40 Stat. 41), contains a provision identical with above.)

CHAPTER XXIX.

CONTRACTS AND PURCHASES.

Par.	Par.
Purchase of ordnance and ordnance stores in excess of appropriations and obligations authorized by law, limitation on-----	1190a
Purchase of supplies and procurement of services outside District of Columbia in open market, limitation on-----	1196a
Selection of types and purchase of motor ambulances without advertising-----	1198a
Contracts entered into by Quartermaster Corps, certain to be reduced to writing, etc-----	1211a
Contracts entered into by Signal Corps, certain to be reduced to writing, etc-----	1211b
Contracts entered into by Medical Department, certain to be reduced to writing, etc-----	1211c
Contracts, extension of time for filing in Returns Office-----	1211d
Eight-hour law—Suspension of in time of national emergency—	1223a
Same—Rate of pay for overtime—	1223b
American manufacture, preference to be given to in purchase of material for Ordnance Department-----	1234a
Contracts for printing-----	1236a
Same-----	1236b
Contracts for publication of Official Postal Guide-----	1236c
Accused persons may testify----	1253a

1190a. *Purchase of ordnance and ordnance stores in excess of appropriations and obligations authorized by law, limitation on.*—The Secretary of War is authorized, during the present emergency and in addition to the appropriations and obligations specifically authorized by law, to incur obligations for ordnance and ordnance supplies and materials: *Provided*, That the aggregate amount of such obligations outstanding at any one time shall not exceed the sum of \$100,000,000. *Act of Oct. 6, 1917 (40 Stat. 366).*

1196a. *Purchase of supplies and procurement of services outside District of Columbia in open market, limitation.*—Hereafter the purchase of supplies or the procurement of services outside the District of Columbia may be made in open market in the manner common among business men when the aggregate amount of the purchase does not exceed \$50.¹ *Act of June 12, 1917 (40 Stat. 144).*

1198a. *Selection of types and purchase of motor ambulances without advertising.*—The Secretary of War may in his discretion select types and makes of motor ambulances for the Army and authorize their purchase without regard to the laws prescribing advertisement for proposals for supplies and material for the Army. *Act of Aug. 29, 1916 (39 Stat. 639).*

(The Army appropriation act of May 12, 1917, and the urgent deficiencies act of October 6, 1917 (40 Stat. 60, 364), contain similar provisions.)

¹ This provision is in connection with appropriation for the United States Geological Survey and probably only applies to that service.

1211a. *Contracts entered into by Quartermaster Corps, certain to be reduced to writing, etc.*—Hereafter whenever contracts which are not to be performed within sixty days are made on behalf of the Government by the Quartermaster General, or by officers of the Quartermaster Corps authorized to make them, and are in excess of \$500 in amount, such contracts shall be reduced to writing and signed by the contracting parties. In all other cases contracts shall be entered into under such regulations as may be prescribed by the Quartermaster General. *Act of Mar. 4, 1915 (38 Stat. 1078).*

1211b. *Contracts entered into by Signal Corps, certain to be reduced to writing, etc.*—Hereafter whenever contracts which are not to be performed within sixty days are made on behalf of the Government by the Chief Signal Officer, or by officers of the Signal Corps authorized to make them, and are in excess of \$500 in amount, such contracts shall be reduced to writing and signed by the contracting parties. In all other cases contracts shall be entered into under such regulations as may be prescribed by the Chief Signal Officer. *Act of Aug. 29, 1916 (39 Stat. 622).*

1211c. *Contracts entered into by Medical Department, certain to be reduced to writing, etc.*—Hereafter, whenever contracts which are not to be performed within sixty days are made on behalf of the Government by the Surgeon General or by officers of the Medical Department authorized to make them, and are in excess of \$500 in amount, such contracts shall be reduced to writing and signed by the contracting parties, but in all other cases contracts shall be prepared under such regulations as may be prescribed by the Surgeon General. *Id. 639.*

1211d. *Contracts, extension of time for filing in the returns office.*—Section thirty-seven hundred and forty-four, Revised Statutes, is hereby amended by adding the following at the end of the last sentence: "*Provided, That the Secretary of War or the Secretary of the Navy may extend the time for filing such contracts in the returns office of the Department of the Interior to ninety days whenever in their opinion it would be to the interest of the United States to follow such a course.*" *Act of June 15, 1917 (40 Stat. 198), amending Section 3744, R. S.*

1223a. *Eight-hour law—Suspension of in time of national emergency.*—In case of national emergency the President is authorized to suspend provisions of law prohibiting more than eight hours labor in any one day of persons engaged upon work covered by contracts with the United States. *Act of Mar. 4, 1917 (39 Stat. 1192).*

1223b. *Same—Rate of pay for overtime.*—The wages of persons employed upon such contracts shall be computed on a basic day rate of eight hours' work, with overtime rates to be paid for at not

less than time and one-half for all hours work in excess of eight hours.¹ *Id.*

1234a. *American manufacture, preference to be given to in purchase of material for Ordnance Department.*—All material purchased under the appropriations in this act for the Ordnance Department of the United States Army shall be of American manufacture, except in cases when, in the judgment of the Secretary of War, it is to the manifest interest of the United States to make purchases abroad, which material shall be admitted free of duty. *Act of Oct. 6, 1917 (40 Stat. 367).*

1236a. *Contracts for printing.*—No part of the appropriations for the Quartermaster Corps shall be expended on printing unless the same shall be done at the Government Printing Office, or by contract after due notice and competition, except in such cases as the emergency will not admit of the giving notice of competition, and in cases where it is impracticable to have the necessary printing done by contract the same may be done, with the approval of the Secretary of War, by the purchase of material and hire of the necessary labor for the purpose.² *Act of Mar 4, 1915 (38 Stat. 1073).*

1236b. *Same.*—No part of the appropriations for the Quartermaster Corps shall be expended on printing unless the same shall be done at the Government Printing Office, or by contract after due notice and competition, except in such cases as the emergency will not admit of the giving notice of competition, and in cases where it is impracticable to have the necessary printing done by contract the same may be done with the approval of the Secretary of War, by the purchase of material and hire of the necessary labor for the purpose. *Act. of Aug. 29, 1916 (39 Stat. 631).*

(The acts of May 12 and Oct. 6, 1917 (40 Stat. 51, 359), contain provisions identical with above.)

¹ The question was presented whether the Government was authorized to pay mechanics employed under lump-sum appropriations extra compensation for overtime work in excess of eight hours a day, such overtime work being authorized in emergencies.

Held, that as there is no law governing the rates of pay of mechanics employed directly by the Government who are paid lump-sum appropriations, but the terms of their employment are fixed by agreement between the parties, it is discretionary with the department to allow, by agreement with such employees, extra pay for overtime work in excess of eight hours; and *recommended*, in view of the prevailing practice in the commercial and industrial world of allowing mechanics and laborers extra pay for overtime in excess of a basic eight-hour day, and of the action of Congress in requiring adherence to this practice as to persons employed on contracts with the United States (act of Mar. 4, 1917, 39 Stat., 1192), that mechanics and laborers employed directly by the Government be placed upon equal terms of employment in this respect. (War Dept. Bull. 67, Nov. 30, 1917.)

Contracts for clothing may not contain a provision permitting more than eight hours' work per day for eight hours' pay, even though the week's work be limited to 48 hours. Under the Executive order of March 24, 1917, more than eight hours' work per day is permitted, provided that full pay be given for eight hours, and pay at the rate of time and one-half for overtime. (*Id.*)

² For similar provision see act of April 27, 1914 (38 Stat. 362).

1236c. Contracts for publication of Official Postal Guide.—Hereafter contracts let for the publication of the Official Postal Guide shall provide for the supply of such copies as may be required for public use by the several executive departments and other Government establishments at a price not exceeding the cost of such guides to the Post Office Department. *Act of May 10, 1916 (39 Stat. 108).*

1253a. Accused persons may testify.—In the trial of all indictments, informations, complaints, and other proceedings against persons charged with the commission of crimes, offenses, and misdemeanors, in the United States courts, Territorial courts, and courts-martial, and courts of inquiry, in any State or Territory, including the District of Columbia, the person so charged shall, at his own request but not otherwise, be a competent witness. And his failure to make such request shall not create any presumption against him. *Act of Mar. 16, 1878 (20 Stat. 30).*

CHAPTER XXX.

PUBLIC PROPERTY.

	Par.		Par.
Sale of airplane war material to foreign Governments, etc., engaged with United States in prosecution of war-----	1255a	Same—Entry must have been made by claimant prior to his enlistment-----	1272f
Same—Proceeds to be credited to appropriations for-----	1255b	Same—Notice of muster into service to be filed-----	1272g
Secretary of War to prescribe regulations for accounting for Army supplies or property----	1259a	Same—"Enlisted man" defined for purposes of act-----	1272h
Loan of tents, restrictions on----	1259b	Persons in armed forces of United States, before whom affidavits required by law affecting application, entries, etc., may be made-----	1272i
Exchange of sewing machines, etc., motor trucks, passenger-carrying vehicles, and band instruments on purchase of new-----	1261a	Mining claims-----	1272j-1272n
Exchange of motor-propelled vehicles, aeroplanes, engines, etc., on purchase of new-----	1261b	Provisions of R. S. 2324, as to labor on, not applicable to persons in military service, etc., during war with Germany-----	1272j
Exchange of motor-propelled vehicles, airplanes, and other equipment-----	1261c	Same—Notice of muster into service to be filed-----	1272l
Soldiers' homestead, military service on Mexican border, etc., equivalent to residence--	1272a	Labor on mining claims, suspension of, during years 1917 and 1918-----	1272m
Soldiers' homestead, military or naval service equivalent to residence, etc.; contests on ground of abandonment prohibited-----	1272b	Same—Claimant to file notice of desire to hold such mining claim-----	1272n
Same—One year's residence, etc., required as condition precedent to patent-----	1272c	Provisions relative to labor on mining claims of persons in military service, etc., not affected by-----	1272o
Same—Widows and minor children of applicants, etc., for homesteads dying in military service, etc., right to homesteads-----	1272d	Lands for military purposes--	1274a-1274p
Desert lands-----	1272e-1272h	Donation of lands for aviation field and remount station, acceptance of-----	1274a
Requirements as to expenditures on and cultivation of land suspended as to persons in military service, etc., during war with Germany-----	1272e	Purchase of lands for aviation purposes, provided military reservations are not available--	1274b
		Donation of lands for mobilization, training, and supply stations, acceptance of; also report as to additional needs for National Guard and Regular Army-----	1274c

	Par.		Par.
Report as to land and buildings required for airships, etc., for seacoast defenses-----	1274d	Temporary buildings may be erected by Secretary of War in Smithsonian Grounds, District of Columbia-----	1279e
Acquisition of sites for aviation schools, posts, and stations---	1274e	Sale of land purchased for target ranges for National Guard -----	1281a
Land-site funds available for other purposes; leasing of aviation fields -----	1274f	Same—Appraisal and method of sale -----	1281b
Site for aviation station at North Island, San Diego, Cal., taking possession of-----	1274g	Expenses of sale and disposition of proceeds-----	1281c
Same—Procedure for determination of rights of private parties in-----	1274h	Right of way for highways over public lands -----	1283a
Same—Payment into court of value of such rights-----	1274i	Report as to permanent military posts with plans and estimates for quartering officers and enlisted men-----	1289a
Appropriation for payment of award and distribution by order of court-----	1274j	Vocational training-----	1293a-1293l
Proving ground for testing ordnance material -----	1274k	Educational instruction, vocational education, employment of civilian teachers, etc., for enlisted men-----	1293a
President authorized to take over necessary land, etc., on failure to purchase-----	1274l	Same—Secretary of War to prescribe necessary rules and regulations, and suspend, increase, or decrease amount of instruction-----	1293b
Same—Just compensation for land, etc., taken, method to determine -----	1274m	Vocational training, instruction additional to military training -----	1293c
Same—Title to immediately vest in United States-----	1274n	Same—Transfer of enlisted men to organizations at regimental posts for such instructions---	1293d
Examination of title by Attorney General not required----	1274o	Same—Hours of educational and vocational training-----	1293e
Purchase of land, etc., for Ordnance Department exempt from provision of Revised Statute as to examination of title -----	1274p	Same—Civilian instructors-----	1293f
Erection of Young Men's Christian Association buildings on military reservations-----	1279a	Same—Instructors and discipline under jurisdiction of military authorities-----	1293g
Revocable license to American National Red Cross to erect buildings on military reservations for storage of supplies---	1279b	Vocational training for enlisted men, Aviation Section, Signal Corps -----	1293h
Express authority for buildings, etc., in parks, etc-----	1279b½	Persons injured required to follow courses of reeducation, vocational training, etc-----	1293i
Temporary buildings for American Red Cross in District of Columbia-----	1279c	Same—Enlistment in military or naval service of such persons unable to follow gainful occupations -----	1293j
Same—Removal within three years -----	1279d	Same—Pay during such enlistment-----	1293k

Par.		Par.
	Same—Suspension of compensation on failure to take course or enlist.....	1293l
	Post offices at military posts....	1294a
	Alcoholic liquors.....	1295a-1295d
	Regulation of sale, etc., in or near military camps or to officers and enlisted men.....	1295a
	Same—Sale prohibited at any military station, camp, fort, etc., except for medicinal purposes.....	1295b
	Same—Sale of to officers or enlisted men while in uniform..	1295c
	Same—Punishment.....	1295d
	Suppression, etc., of houses of ill fame, etc., near military camps, etc.....	1295e
	Same—Punishment for violation of regulations.....	1295f
	Trespass upon or injury to mines, torpedoes, fortifications, etc., or violation of regulations as to defensive sea areas.....	1315a
	Same—Jurisdiction of offenses committed within Canal Zone or defensive sea areas.....	1315b
	Regulations for use and navigation of navigable waters to prevent injury from Coast Artillery fire, etc.....	1315c
	Same—Detail of vessels to enforce.....	1315d
	Offenses within admiralty, maritime, and territorial jurisdiction of United States.....	1316a
	Laws of States adopted for punishing wrongful acts.....	1316b
	Espionage.....	13174a-13174l
	National defense—Punishment for unlawfully obtaining information as to, etc.....	13174a
	Same—Punishment for communicating such information, etc., to foreign Governments, etc.....	13174b
	Same—Punishment for communicating, collecting, etc., information in time of war....	13174c
	Same—Making, etc., false reports, etc., with intent to interfere with operations of military forces while at war; causing, etc., insubordination, disloyalty, mutiny, etc.; obstructing recruiting or enlistment, punishment.....	13174d
	Conspiracy to violate two preceding sections, punishment..	13174e
	Punishment for other conspiracies committed under this title.....	13174f
	Harboring or concealing persons violating provisions of title, punishment.....	13174g
	Designation by proclamation of prohibited places under title..	13174h
	Jurisdiction of general courts-martial, etc., not limited by title.....	13174i
	Places subject to provisions of title.....	13174j
	Repeal of national defense secrets act of March 3, 1911..	13174k
	Possession or control of property or papers in aid of foreign Government designed or intended, etc., for violating penal statutes, treaty rights, or obligations of United States, or rights, etc., under law of nations, punishment..	13174l

1255a. *Sale of airplane war materials to foreign governments, etc., engaged with United States in prosecution of war.*—The President, during the present emergency, is authorized, through the head of any department of the Government, to sell any war materials used in the construction of airplanes which may have been or may hereafter be acquired by the United States for the purpose of the Army or Navy,

or for the prosecution of war, to any person, firm, or corporation, or to any foreign state or government engaged with the United States Government in the prosecution of war against a common enemy or its allies, in such manner and upon such terms, at not less than cost, as he in his discretion may deem best. *Act of Oct. 6, 1917 (40 Stat. 356).*

1255b. *Same—Proceeds to be credited to appropriations for.*—Any moneys received by the United States hereunder shall become available as part of the appropriation by which said property was purchased by the United States. *Id.*

1259a. *Secretary of War to prescribe regulations for accounting for Army supplies or property.*—Hereafter the accounting for Army supplies or property and the fixing of responsibility therefor shall be according to such regulations as may be prescribed by the Secretary of War. *Act of Aug. 29, 1916 (39 Stat. 635).*

1259b. *Loan of tents, restrictions on.*—Hereafter no loan of tents shall be made except to the Grand Army of the Republic and the United Confederate Veterans. *Joint resolution No. 11, Mar. 2, 1913 (37 Stat. 1025).*

1261a. *Exchange of sewing machines, etc., motor trucks, passenger-carrying vehicles, and band instruments on purchase of new.*—Hereafter sewing machines and other labor-saving machinery used in the manufacture of clothing and equipage, motor trucks and passenger-carrying vehicles, and band instruments may be exchanged in part payment for new machines, vehicles, and instruments used for the same purpose as those proposed to be exchanged. *Act of Aug. 29, 1916 (39 Stat. 635).*

1261b. *Exchange of motor-propelled vehicles, aeroplanes, engines, etc., on purchase of new.*—Hereafter motor-propelled vehicles, aeroplanes, engines, and parts thereof may be exchanged in part payment for new equipment of the same or similar character, to be used for the same purpose as those proposed to be exchanged. *Act of May 12, 1917 (40 Stat. 43).*

1261c. *Exchange of motor-propelled vehicles, airplanes and other equipment.*—Subject to the approval of the Secretary of War, motor-propelled vehicles, airplanes, engines, parts thereof, and appurtenances may be exchanged in part payment for new equipment of the same or similar character to be used for the same purpose as those proposed to be exchanged. *Sec. 9, Act of July 24, 1917 (40 Stat. 247).*

(For the provisions of this section immediately preceding and following this paragraph see pars. 889xx and 889yy, ante.)

1272a. *Soldiers' homestead, military service on Mexican border, etc., equivalent to residence.*—The provisions of the Act approved June sixteenth, eighteen hundred and ninety-eight, chapter four hundred and fifty-eight (Thirtieth Statutes at Large, page four hundred and seventy-three), shall be applicable in all cases of military

service rendered in connection with operations in Mexico, or along the borders thereof, or in mobilization camps elsewhere, whether such service be in the military or naval organization of the United States or the National Guard of the several States now or hereafter in the service of the United States. *Joint resolution of Aug. 29, 1916 (39 Stat. 671).*

1272b. *Soldiers' homestead, military or naval service equivalent to residence, etc.; contests on ground of abandonment prohibited.*—Any settler upon the public lands of the United States; or any entryman whose application has been allowed; or any person who has made application for public lands which thereafter may be allowed under the homestead laws, who, after such settlement, entry, or application, enlists or is actually engaged in the military or naval service of the United States as a private soldier, officer, seaman, marine, national guardsman, or member of any other organization for offense or defense authorized by Congress during any war in which the United States may be engaged, shall, in the administration of the homestead laws, have his services therein construed to be equivalent to all intents and purposes to residence and cultivation for the same length of time upon the tract entered or settled upon; and hereafter no contest shall be initiated on the ground of abandonment, nor allegation of abandonment sustained against any such settler, entryman, or person unless it shall be alleged in the preliminary affidavit or affidavits of contest and proved at the hearing in cases hereinafter initiated that the alleged absence from the land was not due to his employment in such military or naval service; that if he shall be discharged on account of wounds received or disability incurred in the line of duty, then the term of his enlistment shall be deducted from the required length of residence, without reference to the time of actual service. *Sec. 1, Act of July 28, 1917 (40 Stat. 248).*

1272c. *Same—One year's residence, etc., required as condition precedent to patent.*—No patent shall issue to any homestead settler who has not resided upon, improved, and cultivated his homestead for a period of at least one year. *Id.*

1272d. *Same—Widows and minor children of applicants, etc., for homesteads dying in military service, etc.; right to homesteads.*—Any settler upon the public lands of the United States; or any entryman whose application has been allowed; or any person who has made application for public lands which thereafter may be allowed under the homestead laws, who dies while actually engaged in the military or naval service of the United States as a private soldier, officer, seaman, marine, national guardsman, or member of any other organization for offense or defense authorized by Congress during any war in which the United States may be engaged, then his widow, if unmarried, or in case of her death or marriage, his minor orphan children, or his or

their legal representatives, may proceed forthwith to make final proof upon such entry or application thereafter allowed, and shall be entitled to receive Government patent for such land; and that the death of such soldier while so engaged in the service of the United States shall, in the administration of the homestead laws, be construed to be equivalent to a performance of all requirements as to residence and cultivation upon such homestead. *Sec. 2, id.*

DESERT LANDS.

1272e. *Requirements as to expenditures on and cultivation of land suspended as to persons in military service, etc., during war with Germany.*—No desert-land entry made or held under the provisions of the Act of March third, eighteen hundred and seventy-seven, as amended by the Act of March third, eighteen hundred and ninety-one,¹ by an officer or enlisted man in the Army, Navy, Marine Corps, or Organized Militia of the United States shall be subject to contest or cancellation for failure to make or expend the sum of \$1 per acre per year in improvements upon such claim, or to effect the reclamation thereof, during the period said entryman or his successor in interest is engaged in the military service of the United States during the present war with Germany, and until six months thereafter, and the time within which such entryman or claimant is required to make such expenditures and effect reclamation of the land shall be, exclusive of the time of his actual service in the Army, Navy, Marine Corps, or Organized Militia of the United States. *Act of Aug. 7, 1917 (40 Stat. 259).*

1272f. *Entry must have been made by claimant prior to his enlistment.*—Said desert-land entry shall have been made by the said officer or enlisted man prior to his enlistment. *Id.*

1272g. *Same—Notice of muster into service to be filed.*—Each such entryman or claimant shall, within six months after the passage of this Act, or within six months after he is mustered into the service, file in the local land office of the district wherein his claim is situate a notice of his muster into the service of the United States and of his desire to hold said desert claim under this Act. *Id.*

1272h. *Same—"Enlisted man" refined for purposes of Act.*—The term "enlisted man," as used in this section shall include any person selected to serve in the military forces of the United States as provided by the Act entitled "An Act authorizing the President to increase temporarily the Military Establishment of the United States," approved May eighteenth, nineteen hundred and seventeen.² *Id.*

¹ See 19 Stat. 377, and 26 Stat. 1096.

² See paragraphs 1637-1642, post, or 40 Stat. 76-82.

1272i. *Persons in armed forces of United States, before whom affidavits required by law affecting applications, entires, etc., may be made.*—During the continuance of the present war with Germany, and until his discharge from service, any man serving in the armed forces of the United States, who, prior to the beginning of his services was a settler, an applicant, or entryman under the land laws of the United States, or who has, prior to enlistment, filed a contest, with the view of exercising preference right of entry therefor, may make any affidavit required by law or regulation of the department, affecting such application, entry, or contest, or necessary to the making of entry in the case of the successful termination of such contest awarding him preference right of entry, before his commanding officer as provided in section twenty-two hundred and ninety-three of the Revised Statutes of the United States, which affidavits shall be as binding in law and with like penalties as if taken before the Register of the United States Land Office. *Act of Oct. 6, 1917 (40 Stat. 391), amending Sec. 2293, R. S.*

MINING CLAIMS.

1272j. *Provisions of R. S. 2324, as to labor on, not applicable to persons in military service, etc., during war with Germany.*—The provisions of section twenty-three hundred and twenty-four of the Revised Statutes of the United States, which require that on each mining claim located after the tenth day of May, eighteen hundred and seventy-two, and until patent has been issued therefor, not less than \$100 worth of labor shall be performed or improvements made during each year, shall not apply to claims or parts of claims owned by officers or enlisted men who have been or may, during the present war with Germany, be mustered into the military or naval service of the United States to serve during their enlistment in the war with Germany, so that no mining claim or any part thereof owned by such person which has been regularly located and recorded shall be subject to forfeiture for nonperformance of the annual assessments during the period of his service or until six months after such owner is mustered out of the service or until six months after his death in the service. *Joint Resolution of July 17, 1917 (40 Stat. 243).*

1272l. *Same—Notice of muster into service to be filed.*—The claimant of any mining location, in order to obtain the benefits of this resolution, shall file, or cause to be filed, a notice in the office where the location notice or certificate is recorded, before the expiration of the assessment year during which he is so mustered, giving notice of his muster into the service of the United States and of his desire to hold said mining claim under this resolution. *Id.*

1272m. *Labor on mining claims, suspension of during years 1917 and 1918.*—In order that labor may be most effectively used in raising and producing those things needed in the prosecution of the present war with Germany, that the provision of section twenty-three hundred and twenty-four of the Revised Statutes of the United States which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements to be made during each year, be, and the same is hereby, suspended during the years nineteen hundred and seventeen and nineteen hundred and eighteen. *Joint resolution of Oct. 5, 1917 (40 Stat. 343).*

1272n. *Same—Claimant to file notice of desire to hold such mining claim.*—Every claimant of any such mining claim in order to obtain the benefits of this resolution shall file or cause to be filed in the office where the location notice or certificate is recorded on or before December thirty-first, of each of the years nineteen hundred and seventeen and nineteen hundred and eighteen, a notice of his desire to hold said mining claim under this resolution: *Provided further*, That this resolution shall not apply to oil placer locations or claims. *Id.*

1272o. *Provisions relative to labor on mining claims of persons in military service, etc., not affected by.*—This resolution shall not be deemed to amend or repeal the public resolution entitled "Joint resolution to relieve the owners of mining claims who have been mustered into the military or naval service of the United States as officers or enlisted men from performing assessment work during the term of such service," approved July seventeenth, nineteen hundred and seventeen.¹ *Id.*

LANDS FOR MILITARY PURPOSES.

1274a. *Donation of lands for aviation field and remount station, acceptance of.*—The Secretary of War is hereby authorized to accept for the United States from any citizen of the United States a donation of a tract or tracts of land suitable and desirable in his judgment for the purposes of an aviation field and remount station, the terms of the donation also to authorize the use of the property donated for any other service of the United States which may hereafter appear desirable. *Act of Aug. 29, 1916 (39 Stat. 622).*

1274b. *Purchase of lands for aviation purposes provided military reservations are not available.*—The Secretary of War is directed to investigate the suitability of the various military reservations for aviation purposes, and should any of the reservations be found not suitable and not available for aviation, he is authorized, in his discretion, to acquire, by purchase, condemnation, or otherwise, for the

¹ See paragraphs 1272i and 1272j, ante.

United States of America, such land as may be necessary for aviation purposes, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$300,000, or so much thereof as may be necessary, for said purpose. *Id.*

1274c. *Donation of lands for mobilization, training, and supply stations, acceptance of; also report as to additional needs for National Guard and Regular Army.*—The Secretary of War is hereby authorized to accept for the United States from any person such tract or tracts of land suitable and desirable in his judgment for permanent mobilization, training, and supply stations; and he is directed to investigate and report to Congress as soon as practicable what additional tracts are necessary for said purposes for use by the National Guard and by the Regular Army and the probable cost of the same. *Id.* 623.

1274d. *Report as to land and buildings required for airships, etc., for seacoast defenses.*—The Secretary of War is directed to submit to Congress on or before January first, nineteen hundred and eighteen, a detailed statement of the land, buildings, and other facilities now available and to be required for the accommodation of airships and other aerial machines to be used in connection with the seacoast defenses of the continental United States, the insular possessions, and the Panama Canal. *Act of Feb. 14, 1917 (39 Stat. 910).*

1274e. *Acquisition of sites for aviation schools, posts and stations.*—The Secretary of War is hereby authorized to acquire, by purchase, donation, or by condemnation, such land sites throughout the United States as are immediately necessary for the permanent establishment of aviation schools, aviation posts, and experimental aviation stations and proving grounds for the United States Army.¹ *Act of May 12, 1917 (40 Stat. 42).*

1274f. *Land-site funds available for other purposes; leasing of aviation fields.*—The funds thus authorized for use in the purchase of land sites may also be used for the improvement and preparation of land and waters contiguous thereto; for the construction, maintenance, and repair of permanent barracks, quarters, stables, storehouses, magazines, administration buildings, hangars, sheds, shops, garages, and other permanent buildings necessary for the shelter of aviation troops, public animals, stores and equipment, and for administration purposes; for the purchase of all equipment and material necessary for the installation, operation, and repair of all water, sewer, electric-light and electric-power systems; for the construction of roads, walks, and wharves; for the disposal of drainage; for the clearing, grading, rolling, seeding, dredging, and otherwise improving and preparing land and water sites; for rental and lease of

¹ The Act of June 15, 1917, urgent deficiencies act (40 Stat. 187), contains a provision identical with above paragraph.

grounds for aviation fields, camp sites, and other military aviation purposes; for rental and lease of buildings or portions of buildings for occupation by aviation troops, and for use as storehouses, offices, shops, garages, and for other military aviation purposes; for the purchase of office furniture and office equipment; for the purchase and installation of special equipment, supplies, and accessories necessary for the establishment of experimental stations and proving grounds, aviation schools, and aviation posts; for the purchase of such textbooks, books of reference, scientific and professional papers, periodicals and magazines, and the purchase of modern instruments and material for theoretical and practical instruction in all experimental stations and proving grounds and aviation schools and aviation posts: *Provided further*, That the funds thus authorized for these purposes shall be available until expended: *And provided further*, That not more than \$600,000 of the foregoing sum shall be used for the purchase of land: *Provided*, That no part of the foregoing appropriation shall be expended for the purchase of aviation fields if it is found practicable to lease suitable sites for such purposes on more favorable terms. *Id.*

1274g. *Site for aviation stations at North Island, San Diego, California, taking possession of.*—The President be, and he is hereby, authorized to cause possession to be taken forthwith, on behalf of the United States, for use for national defense and in connection therewith as sites for permanent aviation stations for the Army and Navy and for aviation school purposes, of the whole of North Island, in the harbor of San Diego, California, and the provisions of section three hundred and fifty-five, Revised Statutes,¹ shall not apply to the expenditure of any appropriations for improvements thereon for aviation purposes. *Act of July 27, 1917 (40 Stat. 247).*

1274h. *Same—Procedure for determination of rights of private parties in.*—The Attorney General or the claimants to the said North Island are authorized to make application for the determination and appraisalment of any rights private parties may have in the said island over and beyond any rights thereto in the United States to the District Court of the United States for the Southern District of California; the proceedings to be prosecuted in accordance with the laws of the State of California relating to the condemnation of property for public use. Either party may take an appeal from the judgment of such court direct to the Supreme Court of the United States within ninety days after such judgment is rendered. *Id.*, 248.

1274i. *Same—Payment into court of value of such rights.*—Upon the final ascertainment of the value of any right, title, or interest adjudged to be in any private claimants to the said island there shall

¹ See paragraph 258, ante.

be paid into court the value of the same as so determined, together with interest thereon at the rate of six per centum per annum from date possession thereof was taken as herein authorized; and thereupon the United States shall be vested with title to said lands. *Id.*

1274j. *Appropriation for payment of award and distribution by order of court.*—The amount so paid shall be distributed by order of the court to the owner or owners of such right, title, or interest in said island as their respective interests may be determined by the court. The amount necessary to pay the awards in favor of private claimants is hereby appropriated, out of any money in the Treasury not otherwise specifically appropriated, to be disbursed under orders of the Secretary of War. *Id.*

1274k. *Proving ground for testing ordnance material.*—For increasing facilities for the proof and test of ordnance material, including necessary buildings, construction, equipment, land, and damages and losses to persons, firms, and corporations, resulting from the procurement of the land for this purpose, and also the salaries and expenses of any agents appointed to assist in the procurement of said land or damages resulting from its taking, \$7,000,000. *Act of Oct. 6, 1917 (40 Stat. 352).*

1274l. *President authorized to take over necessary land, etc., on failure to purchase.*—If the land and appurtenances and improvements attached thereto, as contemplated under the foregoing appropriation, can not be procured by purchase, then the President is hereby authorized and empowered to take over for the United States the immediate possession and title, including all easements, rights of way, riparian and other rights appurtenant thereto, or any land selected by him to be used for the carrying out of the purpose named in the aforesaid appropriation. *Id., 353.*

1274m. *Same—Just compensation for land, etc., taken, method to determine.*—If said land and appurtenances and improvements shall be taken over as aforesaid the United States shall make just compensation therefor, to be determined by the President, and if the amount thereof, so determined by the President, is unsatisfactory to the person entitled to receive the same, such person shall be paid seventy-five per centum of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum, as, added to the said seventy-five per centum, will make up such amount as will be just compensation therefor, in the manner provided for by section twenty-four, paragraph twenty, and section one hundred and forty-five of the Judicial Code.¹ *Id.*

1274n. *Same—Title to immediately vest in United States.*—Upon the taking over of said property by the President as aforesaid the

¹ See paragraphs 278 and 277, ante, or 36 Stat. 1136, 1093.

title to all such property so taken over shall immediately vest in the United States. *Id.*

1274o. *Examination of title by Attorney General not required.*—Section three hundred and fifty-five of the Revised Statutes of the United States shall not apply to the expenditures authorized hereunder. *Id.*

1274p. *Purchase of land, etc., for Ordnance Department exempted from provision of Revised Statutes as to examination of title.*—Section three hundred and fifty-five of the Revised Statutes of the United States shall not apply to the expenditure of appropriations for the Ordnance Department of the Army now available for the purchase of land and for improvements upon such land. *Joint Res. of Oct. 6, 1917 (40 Stat. 427).*

1279a. *Erection of Young Men's Christian Association buildings on military reservations.*—Authority is hereby given to the Secretary of War, in his discretion, to grant permission by revocable license to the International Committee of Young Men's Christian Associations of North America to erect and maintain, on the military reservations within the United States or its island possessions, such buildings as their work for the promotion of the social, physical, intellectual, and moral welfare of the garrisons may require, under such regulations as the Secretary of War may impose.¹ *Act of May 31, 1902 (32 Stat., 282).*

1279b. *Revocable license to American National Red Cross to erect buildings on military reservations for storage of supplies.*—Authority is hereby given to the Secretary of War to grant permission, by revocable license, to the American National Red Cross to erect and maintain on any military reservations within the jurisdiction of the United States buildings suitable for the storage of supplies, or to occupy for that purpose buildings erected by the United States, under such regulations as the Secretary of War may prescribe, such supplies to be available for the aid of the civilian population in case of serious national disaster. *Sec. 10, Act of June 3, 1916 (39 Stat. 173).*

(For the provision of this section immediately preceding this paragraph see paragraph 750c.)

1279b₁. *Express authority for buildings, etc., in parks, etc.*—Hereafter there shall not be erected on any reservation, park, or public

¹ The appropriation for furnishing heat and light for buildings erected at private cost under the act of May 31, 1902, is not available for the installation of heating and lighting fixtures in Y. M. C. A. buildings, but only to provide the consumable supplies necessary for heating and lighting same. (War Dept. Bull. 72, Dec. 24, 1917.)

The appropriation for furnishing heat and light for buildings erected at private cost under the act of May 31, 1902, is not available for furnishing heat or light for hostess houses of the Y. W. C. A. (*Id.*)

grounds, of the United States within the District of Columbia, any building or structure without express authority of Congress. *Act of Aug. 24, 1912 (37 Stat. 444).*

1279c. Temporary buildings for American Red Cross in District of Columbia.—Authority be, and is hereby, given to the Commission on Memorial to Women of the Civil War to grant permission, under such conditions and restrictions as it may deem necessary, to the central committee of the American Red Cross to erect upon square numbered one hundred and seventy-two, in the city of Washington, a temporary building or buildings for the use of the American Red Cross in connection with its work in cooperation with the Government of the United States. *Joint Resolution of May 22, 1917 (40 Stat. 90).*

1279d. Same—Removal within three years.—Any building or buildings which may be erected under this authority shall be removed and the site or sites thereof placed in good condition within three years from the date of the approval of this resolution, unless otherwise especially provided by Congress: *Provided further*, That the United States shall be put to no expense of any kind by reason of the exercise of the authority hereby conferred. *Id.*

1279e. Temporary building may be erected by Secretary of War in Smithsonian Grounds, District of Columbia.—Authority be, and is hereby, given to the Board of Regents of the Smithsonian Institution to grant permission, under such conditions and restrictions as they may deem necessary, to the Secretary of War to erect for the use of the War Department a temporary structure or structures in the Smithsonian Grounds in the city of Washington: *Provided*, That the Secretary of War shall have such building or buildings removed from the said grounds and the site or sites thereof placed in as good condition as at present within three years from the date of the approval of this resolution. *Joint Resolution of June 9, 1917 (40 Stat. 102).*

1281a. Sale of land purchased for target ranges for National Guard.—When any land which has been heretofore or may be hereafter acquired by purchase for a target range for the use of the National Guard of any State, Territory, or the District of Columbia, shall have become useless or shall be found to be unavailable for such purpose, the Secretary of War may cause the same to be sold either in whole or in two or more parts as he may deem best for the interests of the United States. *Act of May 12, 1917 (40 Stat. 67).*

1281b. Same—Appraisal and method of sale.—In the disposal of such property, the Secretary of War shall cause the same to be appraised either as a whole or in two or more tracts, having due reference to the requirements of any permanent improvements made thereon; and he shall cause the property to be offered at public or private sale at not less than the appraised value. *Id.*

1281c. *Expenses of sale and disposition of proceeds.*—The expenses for advertising, appraisement, survey, and sale shall be paid from the proceeds of the sale; and the net proceeds thereof shall be placed to the credit of the State, Territory, or District of Columbia, as additional to its allotment under section sixty-seven of the Act of June third, nineteen hundred and sixteen. *Id.*

1283a. *Right of way for highways over public lands.*—The right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted. *Sec. 2477, R. S.*

1289a. *Report as to permanent military posts with plans and estimates for quartering officers and enlisted men.*—The Secretary of War is authorized and directed to report to Congress on or before January first, nineteen hundred and eighteen, as to the most desirable method for quartering officers and enlisted men of the Army, and to submit detailed plans and estimates of cost for the carrying out of any proposed scheme or schemes, together with locations desired and in particular what existing posts shall be retained, enlarged, or discontinued. *Act of June 12, 1917 (40 Stat. 129).*

VOCATIONAL TRAINING.

1293a. *Educational instructions, vocational education, employment of civilian teachers, etc., for enlisted men.*—In addition to military training, soldiers while in the active service shall hereafter be given the opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations. Civilian teachers may be employed to aid the Army officers in giving such instruction, and part of this instruction may consist of vocational education either in agriculture or the mechanical arts. *Sec. 27, Act of June 3, 1916 (39 Stat. 186).*

(For provision of this section immediately preceding this paragraph see paragraph 1032a.)

1293b. *Same—Secretary of War to prescribe necessary rules and regulations, and suspend, increase, or decrease the amount of instruction.*—The Secretary of War, with the approval of the President, shall prescribe rules and regulations for conducting the instruction herein provided for, and the Secretary of War shall have the power at all times to suspend, increase, or decrease the amount of such instruction offered as may in his judgment be consistent with the requirements of military instruction and service of the soldiers. *Id.*

1293c. *Instruction additional to military training.*—For the employment of the necessary civilian instructors in the most important

trades, for the purchase of carpenter's, machinist's, plumber's, mason's, electrician's, and such other tools and equipment as may be required, including machines used in connection with the trades, for the purchase of material and other supplies necessary for instruction and training purposes and the construction of such buildings needed for vocational training in agriculture for shops, storage, and shelter of machinery as may be necessary to carry out the provisions of section twenty-seven of the Act approved June third, nineteen hundred and sixteen,¹ authorizing, in addition to the military training of soldiers while in the active service, means for securing an opportunity to study and receive instruction upon educational lines of such character as to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations, part of this instruction to consist of vocational education either in agriculture or the mechanic arts. *Act of May 12, 1917 (40 Stat. 59).*

1293d. *Same—Transfer of enlisted men to organizations at regimental posts for such instructions.*—The Secretary of War may, in his discretion, in order to carry out the last provision, select one or more and not exceeding three regiments of Infantry, Cavalry, or Field Artillery to be stationed at a regimental post within the continental limits of the United States on or before July first, nineteen hundred and seventeen, and may transfer from such regiment to other organizations any enlisted man or men who do not desire educational or vocational training and instruction such as is contemplated by the concluding paragraph of section twenty-seven of the National Defense Act approved June third, nineteen hundred and sixteen,¹ and may transfer thereto from other organizations a number of enlisted men to be selected under such rules and regulations as he may prescribe who do desire such instruction and training or may receive recruits thereto sufficient to bring the enlisted strength of the regiment up to that authorized by law. *Id.*

1293e. *Same—Hours of educational and vocational training.*—During such part of the year beginning July first, nineteen hundred and seventeen, and thereafter as the enlisted men of the regiment so selected shall not be engaged on field service or in field training they shall be under training or instruction nine hours of each day, or as near that number of hours as possible, Sundays and holidays excepted, at least three hours of each day to be devoted to military training and six hours of each day, or as nearly that as possible, to educational and vocational training and instruction such as is contemplated by the concluding paragraph of section twenty-seven of the National Defense Act. *Id., 60.*

¹ See paragraphs 1293a, 1293b, ante.

1293f. Same—Civilian instructors.—The educational and vocational training to be had under civilian instructors employed for that purpose under such rules and regulations as the Secretary of War shall prescribe. *Id.*

1293g. Same—Instructors and discipline under jurisdiction of military authorities.—Said civilian instructors, as well as the discipline of the said post, shall be under the jurisdiction of the military authorities, under such rules and regulations as the Secretary of War may prescribe. *Id.*

1293h. Vocational training for enlisted men, Aviation Section, Signal Corps.—And also for vocational training, including employment of necessary civilian instructors in important trades related to aviation, purchase of tools, equipment, materials, and machines required for such training, purchase of textbooks, books of reference, scientific and professional papers, periodicals and magazines, and instruments and material for theoretical and practical instruction at aviation schools and stations, and all other means to carry out the provisions of section twenty-seven of the Act approved June third, nineteen hundred and sixteen, authorizing, in addition to the military training of soldiers while in active service, means for securing educational and vocational training of a character to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations. *Sec. 9, Act of July 24, 1917 (40 Stat. 246).*

(For the provision of this section immediately preceding this paragraph see paragraph 889uu, and for the ensuing provision see paragraph 979j, ante.)

1293i. Persons injured required to follow courses of reeducation, vocational training, etc.—In cases of dismemberment, of injuries to sight or hearing, and of other injuries commonly causing permanent disability, the injured person shall follow such course or courses of rehabilitation, reeducation, and vocational training as the United States may provide or procure to be provided. *Sec. 2-304, act of Oct. 6, 1917 (40 Stat. 407).*

(For provision of this act immediately preceding this paragraph see paragraph 1483jjj, ante.)

1293j. Same—Enlistment in military or naval service of such persons unable to follow gainful occupations.—Should such course prevent the injured person from following a substantially gainful occupation while taking same, a form of enlistment may be required which shall bring the injured person into the military or naval service. *Id.*

1293k. Same—Pay during such enlistment.—Such enlistment shall entitle the person to full pay as during the last month of his active service, and his family to family allowances and allotment as here-

inbefore provided, in lieu of all other compensation for the time being. *Id.*

12931. *Same—Suspension of compensation on failure to take course or enlist.*—In case of his willful failure properly to follow such course or so to enlist, payment of compensation shall be suspended until such willful failure ceases and no compensation shall be payable for the intervening period. *Id.*

(For the ensuing provision of this act see paragraph 1483kkk, post.)

1294a. *Post offices at military posts.*—Hereafter, at all military posts where post offices have been established, the Secretary of War shall assign proper and suitable room or rooms for post office purposes. *Act of Aug. 1, 1914 (38 Stat. 629).*

ALCOHOLIC LIQUORS.¹

1295a. *Regulation of sale, etc., in or near military camps or to officers and enlisted men.*—The President of the United States, as Commander in Chief of the Army, is authorized to make such regulations governing the prohibition of alcoholic liquors in or near military camps and to the officers and enlisted men of the Army as he may from time time deem necessary or advisable.² *Sec. 12, Act of May 18, 1917 (40 Stat. 82).*

¹ *Narcotics.*—The act of December 17, 1914, Sections 1–12 (38 Stat. 785–790), provides for the registration of, with collectors of internal revenue, and imposes a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations thereof (cocaine, morphine, heroin, codeine, etc.); makes it unlawful for any person not registered under the provisions of the Act to have in his possession or under his control any of the drugs mentioned above; and imposes a fine of \$2,000 or imprisonment for five years, or both, upon conviction, for a violation of the act.

² With reference to a recommendation that Tampa, Fla., where certain troops were assembled preliminary to their transfer to a division training camp, be declared a military post in order to require the closing of all saloons during the presence of the soldiers there,

Held, that the term "military camps," as used in the act of May 18, 1917, and the regulations made under authority thereof governing the prohibition of alcoholic liquors "in or near military camps," had reference to camps established for purposes of mobilization, training, embarkation, etc., of troops and were not intended to apply to places of preliminary assembly such as that under consideration. (War Dept. Bull. 54, Sept. 26, 1917.)

Section 12 of the act of May 12, 1917, and the regulations thereunder, prohibiting intoxicating liquors within specified distances of camps, apply to military camps in Porto Rico for the mobilization and training of drafted men. (War Dept. Bull. 67, Nov. 30, 1917.)

There is no authority under section 12 of the draft act and the regulations of the President thereunder for seizure of liquor within the proscribed zones nor for search of premises therein without a search warrant. The regulations are to be enforced through the Department of Justice. Cooperation with the Commissioner of Internal Revenue is advised. (*Id.*)

The Federal laws and regulations concerning intoxicating liquors and bawdy houses within proscribed limits of camps and concerning the sale of intoxicants to soldiers in uniform should be strictly enforced, and the commanding officers should request local authorities to enforce rigidly and vigorously the local statutes and regulations as to intoxicants and vice and should cooperate with them so far as possible. (*Id.*)

The word camp as used in the regulations of the President issued under section 12 of the draft act includes not only the space actually occupied by the

1295b. *Same—Sale prohibited at any military station, camp, fort, etc., except for medicinal purposes.*—No person, corporation, partnership, or association shall sell, supply, or have in his or its possession any intoxicating or spirituous liquors at any military station, cantonment, camp, fort, post, officers' or enlisted men's club, which is being used at the time for military purposes under this Act, but the Secretary of War may make regulations permitting the sale and use of intoxicating liquors for medicinal purposes. *Id.*

1295c. *Same—Sale of, to officers or enlisted men while in uniform.*—It shall be unlawful to sell any intoxicating liquor, including beer, ale, or wine, to any officer or member of the military forces while in uniform, except as herein provided. *Id.*

1295d. *Same—Punishment.*—Any person, corporation, partnership, or association violating the provisions of this section or the regulations made thereunder shall, unless otherwise punishable under the Articles of War, be deemed guilty of a misdemeanor and be punished by a fine of not more than \$1,000 or imprisonment for not more than twelve months, or both. *Id.*

(The act of October 6, 1917 (40 Stat. 393), provides that in construing the provisions of the above section the word "Army" shall extend to and include "Navy"; the word "military" shall include "naval"; "Articles of War," shall include "Articles for the Government of the Navy," and the words "camps, station, cantonment, camp, fort, post, officers' or enlisted men's club," shall include such places under naval jurisdiction as the President may prescribe, and the powers therein conferred upon the Secretary of War with regard to the military service are, by the last-named act conferred upon the Secretary of the Navy with regard to the naval service.)

tents or other cover in which the soldiers live but as well the adjacent territory habitually used by the encamped forces in the performance of their military duties. Within the proscribed limits of such camps the regulations should be rigidly enforced, and no suggestion of local civil authorities to the contrary should be tolerated. (*Id.*)

Licenses for the sale of intoxicating liquors granted by the respective States can not be revoked by Federal authority for violation of Federal regulations. (*Id.*)

The expense of conducting investigations and procuring evidence against bootleggers, drug users, and prostitutes for violations of the regulations under the draft act can not be paid from the appropriation for "Contingencies of the Army." Such expense should be borne by the Department of Justice. (War Dept. Bull. 72, Dec. 24, 1917.)

The regulations of the President under section 12 of the selective-draft act prohibiting intoxicating liquors within prescribed distances of military camps do not apply to permanent Regular Army posts. The regulations of the Secretary of War under section 13, prohibiting the keeping or setting up houses of ill fame, brothels, or bawdyhouses within prescribed distances of military camps do apply to Regular Army posts. (*Id.*)

The military authorities have no power to order the Military Police or any other part of the Army, as such, to assist the civil authorities in the execution of the law, except when called upon in the manner provided for in the Constitution of the United States and the acts of Congress. (20 Stat. 152.) This is equally true within as well as without the five-mile zones around military camps prescribed by the President, within which is forbidden the sale of alcoholic liquors and the keeping of bawdy houses. The foregoing does not contemplate the situation where, under the well-known conditions, military power may by proper authority be exercised in aid of the Federal civil power. (Dig. Ops. J. A. G., March, 1918.)

1295e. *Suppression, etc., of house of ill fame, etc., near military camps, etc.*—The Secretary of War is hereby authorized, empowered, and directed during the present war to do everything by him deemed necessary to suppress and prevent the keeping or setting up of houses of ill fame, brothels, or bawdy houses within such distance as he may deem needful of any military camp, station, fort, post, cantonment, training, or mobilization place. *Sec. 13, id., 83.*

1295f. *Same—Punishment for violation of regulations.*—Any person, corporation, partnership, or association receiving or permitting to be received for immoral purposes any person into any place, structure, or building used for the purpose of lewdness, assignation, or prostitution within such distance of said places as may be designated, or shall permit any such person to remain for immoral purposes in any such place, structure, or building as aforesaid, or who shall violate any order, rule, or regulation issued to carry out the object and purpose of this section shall, unless otherwise punishable under the Articles of War, be deemed guilty of a misdemeanor and be punished by a fine of not more than \$1,000, or imprisonment for not more than twelve months, or both. *Id.*

(The act of October 6, 1917 (40 Stat. 393), provides that in construing the provisions of the above section the words "camp, station, fort, post, cantonment, training, or mobilization place," shall include such places under naval jurisdiction as the President may prescribe, and the powers therein conferred upon the Secretary of War are, by the last-named act, conferred upon the Secretary of the Navy with regard to the naval service.)

1315a. *Trespass upon or injury to mines, torpedoes, fortifications, etc., or violation of regulations as to defensive sea areas.*—Whoever shall willfully trespass upon, injure, or destroy any of the works or property or material of any submarine mine or torpedo or fortification or harbor-defense system owned or constructed or in process of construction by the United States, or shall willfully interfere with the operation or use of any such submarine mine, torpedo, fortification, or harbor-defense system, or shall knowingly, willfully, or wantonly violate any duly authorized and promulgated order or regulation of the President governing persons or vessels within the limits of defensive sea areas, which defensive sea areas are hereby authorized to be established by order of the President from time to time as may be necessary in his discretion for purposes of national defense, shall be punished on conviction thereof in a district or circuit court of appeals of the United States for the district or circuit in which the offense is committed, or into which the offender is first brought, by a fine of not more than \$5,000, or by imprisonment for a term not exceeding five years, or by both, in the discretion of the court. *Act of Mar. 4, 1917 (39 Stat. 1194), amending Sec. 44, Criminal Code (35 Stat. 1097).*

1315b. Same—Jurisdiction of offenses committed within Canal Zone or defensive sea areas.—Offenses hereunder committed within the Canal Zone or within any defensive sea areas which the President is authorized to establish by said section, shall be cognizable in the District Court of the Canal Zone, and jurisdiction is hereby conferred upon said court to hear and determine all such cases arising under said section and to impose the penalties therein provided for the violation of any of the provisions of said section. *Sec. 19, Act of May 22, 1917 (40 Stat. 89), amending sec. 44, Criminal Code (35 Stat. 1097).*

1315c. Regulations for use and navigation of navigable waters to prevent injury from Coast Artillery fire, etc.—In the interest of the national defense and for the better protection of life and property on said waters, the Secretary of War is hereby authorized and empowered to prescribe such regulations as he may deem best for the use and navigation of any portion of areas of the navigable waters of the United States or waters under the jurisdiction of the United States endangered or likely to be endangered by Coast Artillery fire in target practice or otherwise, or by the proving operations of the Government ordnance proving ground at Sandy Hook, New Jersey, or at any Government ordnance proving ground that may be established elsewhere on or near such waters, and of any portion or area of said waters occupied by submarine mines, mine fields, submarine cables, or other material and accessories pertaining to seacoast fortifications; and the said Secretary of War shall have like power to regulate the transportation of explosives upon any of said waters. *Sec. 8, Act of Aug. 8, 1917 (40 Stat. 266).*

1315d. Same—Detail of vessels to enforce.—To enforce the regulations prescribed pursuant to this section the Secretary of War may detail any public vessel in the service of the War Department, or, upon the request of the Secretary of War, the head of any other department may enforce, and the head of any such department is hereby authorized to enforce, such regulations by means of any public vessel of such department. *Id.*, 267.

1316a. Offenses within admiralty, maritime, and territorial jurisdiction of the United States.—The crimes¹ and offenses defined in this chapter shall be punished as herein prescribed:

First. When committed upon the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State, or when committed within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State on board any vessel belonging in whole or in part to the United States

¹ Murder, manslaughter, rape, robbery, arson, larceny, etc.

or any citizen thereof, or to any corporation created by or under the laws of the United States, or of any State, Territory, or District thereof.

* * * * *

Third. When committed within or on any lands reserved or acquired for the exclusive use of the United States, and under the exclusive jurisdiction thereof, or any place purchased or otherwise acquired by the United States by consent of the legislature of the State in which the same shall be, for the erection of a fort, magazine, arsenal, dock-yard, or other needful building.

Fourth. On any island, rock, or key, containing deposits of guano, which may, at the discretion of the President, be considered as appertaining to the United States. *Sec. 272, Act of Mar. 4, 1909, Criminal Code (35 Stat. 1142).*

1316b. *Laws of States adopted for punishing wrongful acts, etc.*—Whoever, within the territorial limits of any State, organized Territory, or District, but within or upon any of the places now existing or hereafter reserved or acquired, described in section two hundred and seventy-two of this Act, shall do or omit the doing of any act or thing which is not made penal by any law of Congress, but which if committed or omitted within the jurisdiction of the State, Territory, or District in which such place is situated, by the laws thereof now in force would be penal, shall be deemed guilty of a like offense and be subject to a like punishment; and every such State, Territorial, or District law shall, for the purposes of this section, continue in force, notwithstanding any subsequent repeal or amendment thereof by any such State, Territory, or District. *Sec. 289, id., 1145.*

ESPIONAGE.

13171a. *National defenses—Penalty for unlawfully obtaining information as to, etc.*—Whoever, for the purpose of obtaining information respecting the national defenses with intent or reason to believe that the information to be obtained is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon, enters, flies over, or otherwise obtains information concerning any vessel, aircraft, work of defense, navy yard, naval station, submarine base, coaling station, fort, battery, torpedo station, dockyard, canal, railroad, arsenal, camp, factory, mine, telegraph, telephone, wireless, or signal station, building, office, or other place connected with the national defense, owned or constructed, or in progress of construction by the United States or under the control of the United States, or of any of its officers or agents, or within the exclusive jurisdiction of the United States, or any place in which any vessel, aircraft, arms, munitions, or other materials or instruments

for use in time of war are being made, prepared, repaired, or stored, under any contract or agreement with the United States, or with any person on behalf of the United States, or otherwise on behalf of the United States, or any prohibited place within the meaning of section six of this title; or (b) whoever for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts, or induces or aids another to copy, take, make, or obtain, any sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense; or (c) whoever, for the purpose aforesaid, receives or obtains or agrees or attempts or induces or aids another to receive or obtain from any person, or from any source whatever, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, or note, of anything connected with the national defense, knowing or having reason to believe, at the time he receives or obtains, or agrees or attempts or induces or aids another to receive or obtain it, that it has been or will be obtained, taken, made or disposed of by any person contrary to the provisions of this title; or (d) whoever, lawfully or unlawfully having possession of, access to, control over, or being intrusted with any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, or note relating to the national defense, willfully communicates or transmits or attempts to communicate or transmit the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it; or (e) whoever, being intrusted with or having lawful possession or control of any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, note, or information, relating to the national defense, through gross negligence permits the same to be removed from its proper place of custody or delivered to anyone in violation of his trust, or to be lost, stolen, abstracted, or destroyed, shall be punished by a fine of not more than \$10,000, or by imprisonment for not more than two years, or both. *Title I, Sec. 1, Act of June 15, 1917 (40 Stat. 217).*

1317½b. Same—Punishment for communicating such information, etc., to foreign governments, etc.—Whoever, with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign nation, communicates, delivers, or transmits, or attempts to, or aids or induces another to, communicate, deliver, or transmit, to any foreign government, or to any faction or party or military or naval force within a foreign country, whether recognized or unrecognized by the United States, or to any repre-

sentative, officer, agent, employee, subject, or citizen thereof, either directly or indirectly, any document, writing, code book, signal book, sketch, photograph, photographic negative, blue print, plan, map, model, note, instrument, appliance, or information relating to the national defense, shall be punished by imprisonment for not more than twenty years. *Sec. 2, id., 218.*

1317½c. *Same—Punishment for communicating, collecting, etc., information in time of war.*—Whoever shall violate the provisions of subsection (a) of this section in time of war shall be punished by death or by imprisonment for not more than thirty years; and (b) whoever, in time of war, with intent that the same shall be communicated to the enemy, shall collect, record, publish, or communicate, or attempt to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the armed forces, ships, aircraft, or war materials of the United States, or with respect to the plans or conduct, or supposed plans or conduct of any naval or military operations, or with respect to any works or measures undertaken for or connected with, or intended for the fortification or defense of any place, or any other information relating to the public defense, which might be useful to the enemy, shall be punished by death or by imprisonment for not more than thirty years. *Id.*

1317½d. *Same—Making, etc., false reports, etc., with intent to interfere with operations of military forces while at war; causing, etc., insubordination, disloyalty, mutiny, etc.; obstructing recruiting or enlistment; punishment.*—Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies and whoever, when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty,¹ mutiny,

¹ In all cases where officers and soldiers in the Army of the United States demonstrate by their conduct or speech disloyalty to the Government of the United States and sympathy with its enemies the following general policy is recommended.

(a) In the case of any officer or soldier who has by his speech or conduct demonstrated an attitude or committed an act of disloyalty, it is recommended that he be brought to trial by a general court-martial as promptly as possible whenever the necessary data can be obtained as a basis for charges.

(b) If suitable data for such charges can not be obtained, it is recommended that a suspected officer be dismissed or discharged, under the authority of the particular statute which may apply in his case, and that a suspected enlisted man be discharged from the service.

(c) If any such officer so dismissed or discharged, or any such enlisted man so discharged, from the service be found to be an alien enemy of the United States, it is recommended that he be promptly interned for the period of the war, and if he be a citizen of the United States, or an alien, not an alien enemy, that he be promptly reported to the civil authorities for surveillance and for such action as may be found possible to take against him under the authority of existing law or of any statute hereafter enacted by Congress. (Dig. Opin. J. A. G., January, 1918.)

or refusal of duty, in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the United States, to the injury of the service or of the United States, shall be punished by a fine of not more than \$10,000 or imprisonment for not more than twenty years, or both. *Sec. 3, id.*, 219.

13174e. *Conspiracy to violate two preceding sections; punishment.*—If two or more persons conspire to violate the provisions of sections two or three of this title, and one or more of such persons does any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as in said sections provided in the case of the doing of the act the accomplishment of which is the object of such conspiracy. *Sec. 4, id.*

13174f. *Punishment for other conspiracies committed under this title.*—Except as above provided conspiracies to commit offenses under this title shall be punished as provided by section thirty-seven¹ of the Act to codify, revise, and amend the penal laws of the United States approved March fourth, nineteen hundred and nine. *Id.*

13174g. *Harboring or concealing persons violating provisions of title, punishment.*—Whoever harbors or conceals any person who he knows, or has reasonable grounds to believe or suspect, has committed, or is about to commit, an offense under this title shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than two years, or both. *Sec. 5, id.*

13174h. *Designation by proclamation of prohibited places under title.*—The President in time of war or in case of national emergency may by proclamation designate any place other than those set forth in subsection (a) of section one hereof in which anything for the use of the Army or Navy is being prepared or constructed or stored as a prohibited place for the purposes of this title: *Provided*, That he shall determine that information with respect thereto would be prejudicial to the national defense. *Sec. 6, id.*

13174i. *Jurisdiction of general courts-martial, etc., not limited by title.*—Nothing contained in this title shall be deemed to limit the jurisdiction of the general courts-martial, military commissions, or naval courts-martial under sections thirteen hundred and forty-two, thirteen hundred and forty-three, and sixteen hundred and twenty-four of the Revised Statutes as amended. *Sec. 7, id.*

13174j. *Places subject to provisions of title.*—The provisions of this title shall extend to all Territories, possessions, and places subject to the jurisdiction of the United States whether or not contiguous thereto, and offenses under this title when committed upon the high seas or elsewhere within the admiralty and maritime juris-

¹35 Stat., 1096.

diction of the United States and outside the territorial limits thereof shall be punishable hereunder. *Sec. 8, id.*

1317½k. *Repeal of national defense secrets Act of March 3, 1911.*—The Act entitled “An Act to prevent the disclosure of national defense secrets,” approved March third, nineteen hundred and eleven, is hereby repealed.¹ *Sec. 9, id.*

(For general provisions of this act applicable to this title see paragraphs 1475r-1475u.)

1317½l. *Possession or control of property or papers in aid of foreign government designed or intended, etc., for violating penal statutes, treaty rights or obligations of United States, or rights, etc., under law of nations; punishment.*—Whoever, in aid of any foreign Government, shall knowingly and willfully have possession of or control over any property or papers designed or intended for use or which is used as the means of violating any penal statute, or any of the rights or obligations of the United States under any treaty or the law of nations, shall be fined not more than \$1,000 or imprisoned not more than two years, or both. *Title XI, Sec. 22, id., 230.*

(For preceding section of this title see paragraph 1449u, and for the ensuing section see paragraph 1449v.)

¹ Paragraphs 1317½, 1317½, and 1317½ repealed.

CHAPTER XXXI.

THE MILITIA—TERRITORIAL AND DISTRICT MILITIA.

	Par		Par.
Word "Territory" defined.....	1321a	Same—Commanding officers of complete units organized within a State or Territory not to be displaced.....	1325j
Composition of.....	1322a	Detail of officer of Regular Army as chief of staff of any division in service of United States.....	1325k
Composition of the National Guard.....	1322b	Same—Detail of regular officer as chief of staff of each tactical division to insure prompt mobilization in time of war, etc.....	1325l
Provisions of act applicable to land forces only.....	1322c	Location of units and headquarters to be determined by States and Territories.....	1325m
Same—Any State or Territory maintaining Naval Militia may have credit to number of on its quota.....	1322d	Same—Units not to be disbanded or reduced below minimum strength without consent of President.....	1325n
Exemptions from militia duty and exemptions as combatants.....	1323a	National Guard Reserve.....	1325o–1325u
Organization of National Guard units.....	1325a	Composition of.....	1325o
Organization of Staff Corps and departments to correspond to those of Regular Army.....	1325a½	Same—Pay and allowances of, while training with active National Guard.....	1325p
Same—State troops in time of peace must conform to prescribed organization.....	1325b	Same—Appropriation for National Guard purposes not available for.....	1325q
Right of States and Territories to use National Guard within their borders in time of peace not limited by act.....	1325c	Same—Organization of reserve battallions in time of war.....	1325r
Organization and maintenance of State police or constabulary not forbidden by act.....	1325d	Same—Organization of provisional regiments and higher units.....	1325s
Minimum and maximum number of enlisted men for each Senator and Representative.....	1325e	Same — Drafting unorganized militia into service of United States to maintain reserve battallions at proper strength.....	1325t
President may fix maximum number in States having but one representative.....	1325f	Same—Vacancies in organizations in service to be filled from reserve battallions, etc.....	1325u
Any State or Territory may organize maximum number in less time than act specifies.....	1325g	President to make necessary rules and regulations for organizing and disciplining.....	1325v
Any State with but one Representative may organize one or more regiments, etc.....	1325h		
Organization into divisions, brigades, and other tactical units to assist in instruction and training.....	1325i		

	Par.		Par.
Ancient privileges of certain organizations may be retained.....	1327a	Same—Full compensation only in case of attendance upon maximum number of drills annually.....	1330f
Same—Form a part of National Guard, and shall conform to its organization, etc., in time of war.....	1327b	Same—Compensation computed semiannually beginning the 1st day of January and July of each year.....	1330g
Same—Assignment to higher units for training and when on active duty.....	1327c	Same—Compensation for portion of semiannual period on enlistment or expiration during.....	1330h
Joint encampments, maneuvers, etc., with Regular Army.....	1328a	Same—Acceptance of equivalent periods of military duty in lieu of drills.....	1330i
Same—Command, where organizations of Regular Army and of National Guard participate in joint maneuvers, etc.....	1328b	Same—Disbursements to be made by officers of Quartermaster Corps.....	1330j
Details of Regular Army officers and enlisted men as instructors at encampments and maneuvers.....	1328c	Same—Stoppages to cover cost of public property lost or destroyed by officers or enlisted men.....	1330k
Appropriation for National Guard encampments, maneuvers, etc.....	1328d	Same—Withholding payment for failure to comply with law as to age limit, staff organization, appointment of officers to fill vacancies, etc.....	1330l
Same—Training of National Guard, camps, etc.....	1328d½	Same—Time limit within which such withholding becomes operative in any State or Territory.....	1330m
Reduced rates of transportation for members of National Guard attending joint maneuvers....	1328e	Leaves of absence for Government employees.....	1331a
Joint encampments with Regular Army may be held by militia when impracticable to obtain presence of Regular troops.....	1328f	Leaves of absence for Government employees while engaged in training.....	1331b
Pay for participation in encampments, maneuvers, etc., beginning of.....	1330a	Discipline, including training, to conform to system prescribed for Regular Army.....	1331c
Pay of officers and enlisted men not in service of United States.....	1330b-1330m	Same—Drill, instructions, and training, character and amount required annually....	1331d
Schedules of pay for second lieutenants to captains; officers of higher rank to receive pay of captain.....	1330b	Same—Credit for assembly drill or indoor target practice, duration of and minimum number to participate in, etc.	1331e
Same—Secretary of War to prescribe regulations as to amount and character of service to be rendered to entitle to maximum pay.....	1330c	Secretary of War may provide instruction camps to be conducted by officers of Regular Army.....	1331f
Same—Pay of staff officers, aids-de-camp, chaplains, etc....	1330d	Appropriation for National Guard camps of instruction....	1331g
Pay of enlisted men on active list.....	1330e		

	Par.		Par.
Same-----	1331g	Two officers of National Guard may be assigned to duty as assistants to Chief of Militia Bureau; rank and pay of-----	1337b
Transportation of teams to participate in national matches, selection of and allotment for-----	1331h	Use of armed land forces of United States-----	1339a-1342a
Detail of sergeants with the National Guard and with disciplinary organizations at U. S. Disciplinary Barracks-----	1332a	Drafted into service of United States-----	1339a
Detail of officers and enlisted men of Regular Army for duty with; officers may accept commissions in without vacating their Regular Army commissions-----	1332b	Same—Organization of; subject to rules and articles of war; discharged from militia-----	1339b
Temporary vacancies in Regular Army due to details in in time of war-----	1332c	Same—Appointment of commissioned officers-----	1339c
Same—Vacancies in staff corps and departments to be filled by temporary details-----	1332d	Same—Pay and allowances of officers and enlisted men-----	1339d
Same—Temporary appointments and promotions to be made by the President and confirmed by the Senate-----	1332e	Same—Pensions-----	1339e
Same—Officers temporarily promoted not to vacate their permanent commissions, etc-----	1332f	Physical examination of officers and enlisted men on being called into service of United States-----	1339f
Inspector-instructors to use State armories for offices-----	1333a	Same—Physical examination prior to muster out-----	1339g
Inspector-instructors limited to actual expenses when traveling-----	1333b	Congress declares emergency to exist and authorizes drafting of the National Guard, the Organized Militia, and Organized Militia Reserve-----	1339h
Officers and enlisted men attending United States military schools-----	1334a	Same—Persons so drafted to stand discharged from militia during period of their service-----	1339i
Same—Pay and allowances in no case to exceed those of a captain-----	1334b	Same—Pensions-----	1339j
Appropriation for officers and enlisted men of National Guard attending Army service schools, etc-----	1334c	Same—Organization of drafted units and appointment of officers for same-----	1339k
Same-----	1334d	Same—Vacancies in Regular Army caused by appointment of officers to positions in drafted forces, filling of-----	1339l
Adjutants general of States, duties of-----	1335a	Same—Rank and command, officers of same grade-----	1339m
Adjutants general of Territories and District of Columbia, appointment of-----	1335b	Same—Rank and precedence of officers of Regular Army holding commissions in drafted forces-----	1339n
National Militia Board abolished; Militia Division changed to Militia Bureau-----	1337a	Officers and enlisted men of National Guard and Medical Reserve Corps who are Government employees and responded to the call to be restored to their positions at expiration of their military service-----	1339o

	Par.		Par.
Draft, organize, and officer National Guard and National Guard Reserves.....	1339p	Same—Federal oath to be taken by.....	1344g
State designations of organizations to be retained.....	1339q	Classes from which commissioned officers may be selected for appointment.....	1344h
Subject to rules and articles of war when called into service of the United States.....	1342a	Same—Examination to determine physical, moral, and professional fitness for appointment.....	1344i
Courts-martial.....	1343a-1343h	Filling vacancies in organizations which have been drafted into Federal Service.....	1344j
System of courts-martial for when not in service of United States.....	1343a	Discharge of officers on approved findings of efficiency board, etc.....	1344k
Same—Convening authority and jurisdiction of general courts-martial.....	1343b	Transfer of officers to National Guard Reserve on their application or when rendered surplus by disbandment of their organizations.....	1344l
Same—Convening authority and jurisdiction of special courts-martial.....	1343c	Support of dependent families.....	1347a-1347e
Same—Convening authority and jurisdiction of summary courts.....	1343d	Applies to families of members of Organized Militia, National Guard, and Regular Army....	1347a
Same—All courts-martial may impose confinement in lieu of authorized fines.....	1343e	Same—Action of Secretary of War to be final in all cases..	1347b
Same—Approval of sentence of dismissal or dishonorable discharge.....	1343f	Same—Not applicable where soldier marries after certain date; family defined.....	1347c
Same—President of courts-martial and summary court officers empowered to issue warrants for arrest of accused, and other necessary process.....	1343g	Same—Amendment of provision so as to cover enlistments made before and after call of the President, etc.....	1347d
Same—All processes and sentences of courts to be executed by prescribed civil officers....	1343h	Same—Appropriation for continuation of, under same conditions as original appropriation.....	1347c
Enlistment.....	1344a-1344e	Support of dependent families, time limit for filing application for.....	1347f
Period of.....	1344a	Men enlisted to bring organizations up to minimum entitled to pay from date of enlistment to date of muster in or rejection.....	1349a
Same—May be active during entire enlistment period, with right to reenlist.....	1344b	Transportation to their homes of members of National Guard who have been discharged because of dependent families.....	1349b
Federal enlistment contract and oath.....	1344c		
Same—Applies to all subsequent enlistments.....	1344d		
Discharge, form of; may be issued in time of peace before expiration of term of enlistment.....	1344e		
Officers.....	1344f-1344l		
Regularly commissioned officers to continue in office without issuance of new commissions..	1344f		

	Par.		Par.
Permanent annual appropriation	1351a	Same—Report to serve as basis for issue and retention of military property, and for determining what organizations, etc., constitute part of National Guard.....	1356b
Same—Apportionment among States and Territories.....	1351b	Inspector of small-arms practice, National Guard, etc., in Federal service.....	1357a
Same—Allotments available, for what purposes	1351c	Cost of ordnance issued to militia to be credited to appropriation	1358a
Same—Appointment and duties of property and disbursing officer in connection with.....	1351d	Supply of arms and equipment.....	1358b
Same—Expenses of, while traveling on official duty.....	1351e	Same—Care and protection of.....	1358c
Same—Annual inspection of property and accounts by an inspector general of the Army.....	1351f	New property issued to replace obsolete or condemned prior issues	1359a
Secretary of War to make necessary rules and regulations for enforcing foregoing provisions	1351g	Disposition and replacement of damaged or destroyed property	1359b
Noncompliance with this act by any State or Territory debars it from pecuniary benefit, etc.....	1351h	Same—Penalty on failure of State or Territory to pay for lost or damaged property charged against it.....	1359c
Purchase from War Department of articles issued by its supply departments to Army.....	1354a	Same—Disposition of proceeds of sales of condemned stores not charged to State allotments	1359d
Same—Purchase of stores, supplies, material of war, and military publications.....	1354b	Removal of accountability for issued property lost or destroyed prior to December 31, 1911.....	1359e
Secretary of War to submit annual estimates of amount necessary for.....	1355a	Arms, equipment, and uniform to be same as for Regular Army	1361a
Appropriation for arms, equipment, stores, supplies, etc., and such other expenses as may be authorized by law....	1355b	Supplying and exchanging infantry equipment, National Guard	1361b
Appropriation for arms, uniforms, equipment, etc., for National Guard.....	1355c	Same—To remain the property of United States and be annually accounted for.....	1361c
Same—Available for material and equipment for instruction of members of National Guard at Aviation School.....	1355d	Supplying and exchanging infantry equipment, National Guard	1361d
All money appropriated for arming, equipping, and training the National Guard to constitute one fund.....	1355e	Issue of arms and ammunition to States, Territories, and District of Columbia for equipment of home guard....	1361e
Unexpended balances appropriated and allotted under section 1661, Revised Statutes....	1355f	Same—Use of rifle ranges extended to.....	1361f
Annual inspection by an inspector general as to property, organization, personnel, equipment, etc.....	1356a	Field Artillery, Organized Militia, horses for, care of same, etc	1364a

	Par.		Par.
Same—Horses to conform to standards for Regular Army and remain property of United States, etc.....	1364b	Same—Forage, bedding, shoeing, and care of, etc.....	1364k
Same—Secretary of War may issue condemned Army horses to	1364c	Same—Not to exceed five enlisted men for each battery or troop to be detailed for care of.....	1364l
Field Artillery material for Organized Militia, accountability for.....	1364d	Horses for Field Artillery, Cavalry, and other mounted units of National Guard.....	1364m
Same	1364e	Compensation for care of material, animals, and equipment	1364n
Field Artillery material for the National Guard.....	1364f	Transfer of horses and pack mules to National Guard organizations.....	1364o
Field Artillery ammunition for the Organized Militia.....	1364g	Supplying new types of small arms or field guns.....	1365a
Ammunition for Field Artillery for the National Guard.....	1364h	Stores, supplies, and material of war purchased by States and Territories may, in time of war, be requisitioned by United States.....	1366a
Funds allotted available for purchase of horses for Field Artillery and Cavalry.....	1364i	Militia, Coast Artillery, equipment of armories.....	1367a
Same—Number to be issued to battery or troop, or issuance of condemned Army horses in lieu of purchase.....	1364j	District of Columbia, lease of armory, etc., for.....	1372a

NATIONAL GUARD.

1321a. Word Territory defined.—The word Territory as used in this Act and in all laws relating to the land militia and National Guard shall include and apply to Hawaii, Alaska, Porto Rico, and the Canal Zone, and the militia of the Canal Zone shall be organized under such rules and regulations, not in conflict with the provisions of this Act, as the President may prescribe. *Sec. 62, Act of June 3, 1916 (39 Stat. 198).*

(For the provisions of this section preceding this paragraph see paragraphs 1325e, 1325f, 1325g, and 1325h; see, also, paragraphs 1376 and 1377.)

1322a. Composition of.—The militia of the United States shall consist of all able-bodied male citizens of the United States and all other able-bodied males who have or shall have declared their intention to become citizens of the United States, who shall be more than eighteen years of age and, except as hereinafter provided, not more than forty-five years of age, and said militia shall be divided into three classes, the National Guard, the Naval Militia, and the Unorganized Militia. *Sec. 57, id. 197.*

1322b. Composition of the National Guard.—The National Guard shall consist of the regularly enlisted militia between the ages of eighteen and forty-five years organized, armed, and equipped as here-

inafter provided, and of commissioned officers between the ages of twenty-one and sixty-four years.¹ *Sec. 58 id.*

1322c. *Provisions of Act applicable to land forces only.*—The provisions of this Act in respect to the militia shall be applicable only to militia organized as a land force and not to the Naval Militia, which shall consist of such part of the militia as may be prescribed by the President for each State, Territory, or District. *Sec. 117, id. 212.*

1322d. *Same—Any State or Territory maintaining Naval Militia may have credit to number of on its quota.*—Each State, Territory, or District maintaining a Naval Militia as herein prescribed may be credited to the extent of the number thereof in the quota that would otherwise be required by section sixty-two of this Act. *Id.*

1323a. *Exemptions from militia duty, and exemption as combatants.*—The Vice President of the United States; the officers, judicial and executive, of the Government of the United States and of the several States and Territories; persons in the military or naval service of the United States; customhouse clerks; persons employed

¹ *Held*, that this provision is controlling and limits the ages for qualification as therein specified, and that the provisions in section 27 relating to the ages for enlistment or muster in have no application to the National Guard. (War Dept. Bull. 28, Aug. 18, 1916)

Hackenberg, a native of Austria, who came to the United States in June, 1914, enlisted in June, 1915, in the National Guard of Ohio, declaring himself to be 21 years of age. On July 2, 1916, he took the Federal enlistment oath prescribed by section 70 of the national-defense act, after his company and regiment had responded to the mobilization order of the President for service on the Mexican border. He was mustered out of the Federal service on March 2, 1917. On July 10, 1917, he was called into Federal service, pursuant to the second paragraph of the selective draft act of May 18, 1917, and reported for duty. On July 30 he was placed under arrest, and on August 3 the charge of violating the fifty-fourth article of war by fraudulently enlisting was placed against him. Hackenberg was 18 years of age when he enlisted; his widowed mother, who was in Austria at the time, knew nothing thereof, and is dependent upon him for support. On his behalf one Postal made application for a writ of habeas corpus. Respondent's answer and the testimony given at the hearing developed the above facts. The court, in dismissing the petition, held as shown in the following headnotes:

"As national-defense act, June 3, 1916, permits the enlisting of a minor over the age of 18 without the written consent of his parent or guardian, where one over 18 and under 21, who had enlisted prior to the passage of that act, subsequently took the Federal enlistment oath prescribed by section 70 thereof, the defects in his original enlistment were immaterial, and any right of the parent or guardian to reclaim his custody or control was extinguished.

"An alien, offering to enlist and accepted as a soldier, can not avoid his contract of enlistment, and thereby escape liability for service or to punishment, especially as Compiled Statutes, 1916, section 1888, providing that no person who is not a citizen, or who has not made a legal declaration of his intention to become a citizen, shall be enlisted for a first enlistment, is limited to enlistments in time of peace.

"There is nothing in the treaty between the United States and the Government of Austro-Hungary invalidating an enlistment by a native of Austria.

"National-defense act, section 58 (Comp. St. 1916, sec. 3044), provides that the National Guard shall consist of the regularly enlisted militia, etc. Section 70 provides that enlisted men in the National Guard, whose enlistment contracts contain an obligation to defend the Constitution of the United States and obey the orders of the President, shall be recognized as members thereof, and that

by the United States in the transmission of the mail; artificers and workmen employed in the armories, arsenals, and navy yards of the United States; pilots; mariners actually employed in the sea service of any citizen or merchant within the United States, shall be exempt from militia duty without regard to age, and all persons who because of religious belief shall claim exemption from military service, if the conscientious holding of such belief by such person shall be established under such regulations as the President shall prescribe, shall be exempted from militia service in a combatant capacity; but no person so exempted shall be exempt from militia service in any capacity that the President shall declare to be non-combatant.¹ *Sec. 59, id. 197.*

(See par. 1324 for prior law exempting religious sects or organizations.)

1325a. Organization of National Guard units.—Except as otherwise specifically provided herein, the organization of the National Guard, including the composition of all units thereof, shall be the same as that which is or may hereafter be prescribed for the Regular Army, subject in time of peace to such general exceptions as may be

others shall not be so recognized until they have signed the enlistment contract and taken the oath therein provided. Section 111 (Comp. St. 1916, sec. 3045) and selective-draft law, May 18, 1917, authorize the President to draft all members of the National Guard into the military service of the United States. *Held*, that an order of the President, calling a company and regiment of the National Guard into the Federal service, made a member of such company and regiment, whose original enlistment contract contained the obligation prescribed by section 70, and who, when previously called into the Federal service, had taken the additional oath prescribed by that section, a soldier of the United States Army subject to military trial or punishment, though he had not consented to be mustered into the military forces of the United States under such order.

“Where a minor enlists without the written consent of his parent or guardian an application by his parent or guardian for his release must be made with reasonable diligence after acquiring knowledge of the enlistment, and before an offense has been committed by the minor, and after an offense has been committed, and especially after he has been placed under arrest and charges have been preferred against him, it is too late for the parent or guardian to oust the jurisdiction of the military authorities by an application for a writ of habeas corpus.

“That an enlisted soldier has a mother, of whom he is the only support, does not make void his contract of enlistment.

“One who enlisted in the National Guard, was accepted, took the prescribed oath, and later took the Federal enlistment oath, as prescribed by national-defense act, June 3, 1916, chapter 134, section 70, Thirty-ninth Statutes, 201 (Comp. St. 1916, sec. 3044i), and received pay and clothing over a long period from State and Nation, is a soldier, subject to the jurisdiction of a military tribunal for any offense committed against military law, though he was under 21 when he enlisted, and enlisted without the written consent of his parent or guardian, and though he was an alien, who had not made the declaration of his intention to become a citizen, and though he had a mother dependent upon him for support.

“If a military tribunal has jurisdiction to try a person charged with an offense against military law, the civil courts can not interfere by writ of habeas corpus.” (Ex parte Dostal (Dist. Ct. N. D. Ohio Aug. 15, 1917), 249 Fed. Rep. 664, War Dept. Bull. 67, Nov. 30, 1917.)

¹*Held*, that the exemptions are personal and may be waived, and that a person who waives his exemption by enlisting in the National Guard can not thereafter during the enlistment avail himself of it. (War Dept. Bull. 28, Aug. 18, 1916.)

authorized by the Secretary of War. And the President may prescribe the particular unit or units, as to branch or arm of service, to be maintained in each State, Territory, or the District of Columbia in order to secure a force which, when combined, shall form complete higher tactical units.¹ *Sec. 60, id.*

See paragraph 1326.)

1325a¹. *Organization of Staff Corps and Departments to correspond to those of Regular Army.*—The National Guard of any State, Territory, or the District of Columbia, shall include such officers and

¹ *Held*, that while the Aviation Section of the Signal Corps, provided for in section 16 of the national-defense act, is prescribed for the Regular Army only, and officers and enlisted men of the National Guard are not eligible for detail to fill places therein, and while there is no corresponding Signal Corps or Aviation Section prescribed for the National Guard, there may be Aviation Squadrons, or unit parts thereof, in the National Guard of the several States as component parts of the "complete higher tactical units" contemplated by section 60, *idem*, and the officers and enlisted men therein will, when duly qualified, be entitled while in the actual service of the United States, or while attending encampments or maneuvers ordered by the Secretary of War, to the same pay and allowances as officers and enlisted men of corresponding grades of the Regular Army receive, including increase of pay while on duty requiring them to participate regularly and frequently in aerial flights.

Held, that the conformity of organization of the National Guard to the Regular Army required by the statute does not relate to the qualifications of officers for appointment or promotion; that the matter of appointment or promotion in the National Guard rests primarily with the governor of the State, subject to the rules prescribed in section 74 of the national-defense act relating to the classes of persons from which National Guard officers shall be appointed, and in section 75 relating to examinations to determine qualifications, and that, therefore, an original appointment to the grade of major may, subject to the restrictions mentioned, be made by the governor without regard to the previous service of the appointee; but that inasmuch as the office of captain in the Medical Corps has no existence independent of the person qualified by a period of service to fill it, appointees to that grade in the Medical Corps of the National Guard must have served as first lieutenants for the period fixed by law. (War Dept. Bull. 34, Sept. 12, 1916.)

Request was made on behalf of medical officers of the National Guard in the service of the United States that the Secretary of War, under his power to authorize general exceptions, permit them to hold the office of captain and to receive the pay of that office, irrespective of their length of service as medical officers of the National Guard.

Held, that the word "exception" in section 60 is used in the sense of "exclusion," that it does not include "substitution," that the statute authorizes modification only by way of exclusion, and that the request could not, therefore, be granted. (War Dept. Bull. 9, Feb. 2, 1917.)

Request was made on behalf of a number of medical officers of the National Guard in Federal service who had been denied the pay of captain, on the ground that they had not had the required number of years of service, that the Secretary of War, under his power given by the foregoing statutes to make "general exceptions," authorize them to be recognized as captains and to receive the pay of that grade.

Held, that the term "exception," in section 60, is used in the sense of exclusion, that it does not include substitution, that the Secretary of War could only authorize modification by way of exclusion, and that the request could not, therefore, be granted. (War Dept. Bull. 15, Mar. 24, 1917.)

In the case of a company of Engineers, National Guard, in the Federal service, there were four men included as wagoners, and the question was presented in connection with their payment whether wagoners are authorized for separate companies of Engineers, National Guard.

enlisted men of the Staff Corps and Departments, corresponding to those of the Regular Army, as may be authorized by the Secretary of War.¹ *Act of May 12, 1917 (40 Stat. 68).*

1325b. *Same—State troops in time of peace must conform to prescribed organization.*—No State shall maintain troops in time of peace other than as authorized in accordance with the organization prescribed under this Act. *Sec. 61, Act of June 3, 1916 (39 Stat. 198).*

1325c. *Right of States and Territories to use National Guard within their borders in time of peace not limited by Act.*—Nothing contained in this Act shall be construed as limiting the rights of States and Territories in the use of the National Guard within their respective borders in time of peace. *Id.*

1325d. *Organization and maintenance of State police or constabulary not forbidden by Act.*—Nothing contained in this Act shall prevent the organization and maintenance of State police or constabulary. *Id.*

1325e. *Minimum and maximum number of enlisted men for each Senator and Representative.*—The number of enlisted men of the National Guard to be organized under this Act within one year from its passage shall be for each State in the proportion of two hundred such men for each Senator and Representative in Congress from such State, and a number to be determined by the President for each Territory and the District of Columbia, and shall be increased each year thereafter in the proportion of not less than fifty per centum until a total peace strength of not less than eight hundred enlisted men for each Senator and Representative in Congress shall have been reached. *Sec. 62, id.*

1325f. *President may fix maximum number in States having but one Representative.*—In States which have but one Representative in Congress such increase shall be at the discretion of the President. *Id.*

Held, that as wagoners do not form a part of the statutory personnel of a National Guard company, which, by section 60 of the national-defense act, must be the same as that prescribed for the Regular Army, they can not be recognized as a part of the authorized personnel of such companies unless they are, in fact, a part of a regiment or mounted battalion, as required by the statute; that separate companies of Engineers, whether of the National Guard or of the Regular Army, can not include as a part of their personnel enlisted men of the grade of wagoner, but that the duties which would in a company forming part of a regiment or of a mounted battalion, be performed by a wagoner must in a separate company be performed by enlisted men of other grades detailed for that purpose or by wagoners detailed from organizations having enlisted men of that grade. (War Dept. Bull. 67, Nov. 30, 1917.)

¹ Within the terms of the national-defense act officers and enlisted men of the usual staff corps and departments of the several States were not members of the National Guard, but this was changed by the Army appropriation act of May 12, 1917. Such officers and men may now be drafted into the Army of the United States, for the President's power was not exhausted by his proclamation of August 5, 1917.

1325g. *Any State or Territory may organize maximum number in less time than Act specifies.*—This shall not be construed to prevent any State, Territory, or the District of Columbia from organizing the full number of troops required under this section in less time than is specified in this section, or from maintaining existing organizations if they shall conform to such rules and regulations regarding organization, strength, and armament as the President may prescribe. *Id.*

1325h. *Any State with but one Representative may organize one or more regiments, etc.*—Nothing in this Act shall be construed to prevent any State with but one Representative in Congress from organizing one or more regiments of troops, with such auxiliary troops as the President may prescribe; such organizations and members of such organizations to receive all the benefits accruing under this Act under the conditions set forth herein. *Id.*

(For the last provision of this section see paragraph 1321a, *ante.*)

1325i. *Organization into divisions, brigades, and other tactical units to assist in instructions and training.*—For the purpose of maintaining appropriate organization and to assist in instruction and training, the President may assign the National Guard of the several States and Territories and the District of Columbia to divisions, brigades, and other tactical units, and may detail officers either from the National Guard or the Regular Army to command such units. *Sec. 64, id.*

1325j. *Same—Commanding officers of complete units organized within a State or Territory not to be displaced.*—Where complete units are organized within a State, Territory, or the District of Columbia the commanding officers thereof shall not be displaced under the provisions of this section. *Id., 199.*

1325k. *Detail of officer of Regular Army as chief of Staff of any division in service of United States.*—The President may detail one officer of the Regular Army as chief of staff and one officer of the Regular Army or the National Guard as assistant to the chief of staff of any division of the National Guard in the service of the United States as a National Guard organization. *Sec. 65, id.*

1325l. *Same—Detail of regular officer as chief of staff of each tactical division to insure prompt mobilization in time of war, etc.*—In order to insure the prompt mobilization of the National Guard in time of war or other emergency, the President may, in time of peace, detail an officer of the Regular Army to perform the duties of chief of staff for each fully organized tactical division of the National Guard. *Id.*

1325m. *Location of units and headquarters to be determined by States and Territories.*—The States and Territories shall have the

right to determine and fix the location of the units and headquarters of the National Guard within their respective borders. *Sec. 68, id. 200.*

1325n. *Same—Units not to be disbanded or reduced below minimum strength without consent of President.*—No organization of the National Guard, members of which shall be entitled to and shall have received compensation under the provisions of this act, shall be disbanded, without the consent of the President, nor, without such consent, shall the commissioned or enlisted strength of any such organization be reduced below the minimum that shall be prescribed therefor by the President. *Id.*

NATIONAL GUARD RESERVE.

1325o. *Composition of.*—Subject to such rules and regulations as the President may prescribe, a National Guard Reserve shall be organized in each State, Territory, and the District of Columbia, and shall consist of such organizations, officers, and enlisted men as the President may prescribe, or members thereof may be assigned as reserves to an active organization of the National Guard.¹ *Sec. 78, id. 202.*

(See par. 13441.)

1325p. *Same—Pay and allowances of, while engaged in training with active National Guard.*—Members of said reserve, when engaged in field or coast-defense training with the active National Guard, shall receive the same Federal pay and allowances as enlisted men of like grade on the active list of said guard when likewise engaged. *Id.*

1325q. *Same—Appropriation for National Guard purposes not available for.*—Except as otherwise specifically provided in this Act, no commissioned or enlisted reservist shall receive any pay or allowances out of any appropriation made by Congress for National Guard purposes. *Id.*

1325r. *Same—Organization of reserve battalions in time of war.*—When members of the National Guard and the enlisted reserve thereof of any State, Territory, or the District of Columbia shall have been brought into the service of the United States in time of war, there shall be immediately organized, either from such enlisted

¹ *Held*, that until an organization thereof is prescribed by the President the National Guard Reserve remains an unorganized force, and that therefore when a soldier passes to that reserve he becomes one of a class of militia which has not been called into the service of the United States, and there is no legal authority for accepting him into the Federal service until his class is called into the service of the United States pursuant to law. (War Dept. Bull. 47, Nov. 16, 1916.)

reserve or from the unorganized militia, in such State, Territory, or District, one reserve battalion for each regiment of Infantry or Cavalry, or each nine batteries of Field Artillery, or each twelve companies of Coast Artillery, brought into the service of the United States, and such reserve battalion shall constitute the fourth battalion of any such regiment or twelve companies of Coast Artillery. Reserve battalions shall consist of four companies of such strength as may be prescribed by the President of the United States. *Sec. 79, id.*

1325s. *Same—Organization of provisional regiments and higher units.*—When the members of three or more regiments of the National Guard of any State, Territory, or District shall have been brought into the service of the United States, the reserve battalions of such regiments may be organized into provisional regiments and higher units. *Id.*

1325t. *Same—Drafting unorganized militia into service of United States to maintain reserve battalions at proper strength.*—If for any reason there shall not be enough voluntary enlistments to keep the reserve battalions at the prescribed strength, a sufficient number of the unorganized militia shall be drafted into the service of the United States to maintain each of such battalions at the proper strength. *Id.*

1325u. *Same—Vacancies in organizations in service to be filled from reserve battalions, etc.*—As vacancies occur from death or other causes in any organization in the service of the United States and composed of men taken from the National Guard, men shall be transferred from the reserve battalions to the organizations in the field so that such organizations may be maintained at war strength. Officers for the reserve battalions provided for herein shall be drafted from the National Guard Reserve or Coast Artillery companies of the National Guard or the Officers' Reserve Corps, such officers to be taken, if practicable, from the States, respectively, in which the battalions shall be organized. Officers and noncommissioned officers returned to their home stations because of their inability to perform active field service may be assigned to reserve battalions for duty, and all soldiers invalided home shall be assigned to and carried on the rolls of reserve battalions until returned to duty or until discharged.¹ *Id.* 203.

¹ It being proposed to discharge National Guard reservists with a view to their immediate reenlistment in regiments of the National Guard; *Held*, that, without considering how far the President legally can go in authorizing wholesale discharges from the National Guard Reserve, it is enough to say that the national-defense act contemplates a well-defined function for the National Guard Reserve and its continuance for the performance of that function; that it would defeat the purpose of the law to authorize discharges on the considerations mentioned; and that in the absence of any showing of convenience to the Government such discharges ought not to be authorized. (War Dept. Bull. 26, May 7, 1917.)

1325v. President to make necessary rules and regulations for organizing and disciplining.—The President shall make all necessary rules and regulations and issue such orders as may be necessary for the thorough organization, discipline, and government of the militia provided for in this Act. *Sec. 118, id. 213.*

1327a. Ancient privileges of certain organizations may be retained.—Any corps of Artillery, Cavalry, or Infantry existing in any of the States on the passage of the Act of May eighth, seventeen hundred and ninety-two, which by the laws, customs, or usages of said States has been in continuous existence since the passage of said Act, under its provisions and under the provisions of section two hundred and thirty-two and sections sixteen hundred and twenty-five to sixteen hundred and sixty, both inclusive, of title sixteen of the Revised Statutes of eighteen hundred and seventy-three, and the Act of January twenty-first, nineteen hundred and three, relating to the militia, shall be allowed to retain its ancient privileges, subject, nevertheless, to all duties required by law of militia. *Sec. 63, id. 198.*

1327b. Same—Form a part of National Guard, and shall conform to its organization, etc., in time of war.—Said organizations may be a part of the National Guard and entitled to all the privileges of this Act, and shall conform in all respects to the organization, discipline, and training of the National Guard in time of war. *Id.*

1327c. Same—Assignment to higher units for training and when on active duty.—For purposes of training and when on active duty in the service of the United States they may be assigned to higher units, as the President may direct, and shall be subject to the orders of officers under whom they shall be serving. *Id.*

1328a. Joint encampments, maneuvers, etc., with Regular Army.—Under such regulations as the President may prescribe the Secretary of War is authorized to provide for the participation of the whole or any part of the National Guard in encampments, maneuvers, or other exercises, including outdoor target practice, for field or coast-defense instruction, either independently or in conjunction with any part of the Regular Army, and there may be set aside from the funds appropriated for that purpose and allotted to any State, Territory, or the District of Columbia, such portion of said funds as may be necessary for the payment, subsistence, transportation, and other proper expenses of such portion of the National Guard of such State, Territory, or the District of Columbia as shall participate in such encampments, maneuvers, or other exercises, including outdoor target practice, for field and coast-defense instruction; and the officers and enlisted men of such National Guard while so engaged shall be entitled to the same pay, subsistence, and transportation as officers and enlisted men of corresponding grades of the Regular Army are or hereafter may be entitled by law. *Sec. 94, id. 206.*

1328b. *Same—Command where organization of Regular Army and of National Guard participate in joint maneuvers, etc.*—When any part of the National Guard participates in encampments, maneuvers, or other exercises, including outdoor target practice, for field or coast-defense instruction at a United States military post, or reservation, or elsewhere, if in conjunction with troops of the United States, the command of such military post or reservation and of the officers and troops of the United States on duty there or elsewhere shall remain with the commander of the United States troops without regard to the rank of the commanding or other officer of the National Guard temporarily engaged in the encampments, maneuvers, or other exercises. *Sec. 95, id. 207.*

1328c. *Details of Regular Army officers and enlisted men as instructors at encampments and maneuvers.*—The Secretary of War may detail one or more officers and enlisted men of the Regular Army to attend any encampment, maneuver, or other exercise for field or coast-defense instruction of the National Guard, who shall give such instruction and information to the officers and men assembled for such encampment, maneuver, or other exercise as may be directed by the Secretary of War or requested by the governor or by the commanding officer of the National Guard there on duty. *Sec. 96, id.*

1328d. *Appropriation for National Guard encampments, maneuvers, etc.*—To provide for the participation of the whole or any part of the National Guard in encampments, maneuvers, or other exercises, including outdoor target practice and field and coast-defense instruction, either independently or in conjunction with any part of the Regular Army, and there may be set aside from the funds apportioned for that purpose and allotted to any State, Territory, or the District of Columbia such portion of said funds as may be necessary for the payment, subsistence, transportation, and other proper expenses of such portion of the National Guard of said State, Territory, or the District of Columbia as shall participate in such encampments, maneuvers, or other exercises, including outdoor target practice and field and coast-defense instruction; and the officers and enlisted men of such National Guard while so engaged shall be entitled to the same pay, subsistence, and transportation as officers and enlisted men of corresponding grades of the Regular Army are or hereafter may be entitled to by law. *Act of Aug. 29, 1916 (39 Stat. 645).*

(For provision relative to National Guard camps of instruction, see paragraph 1331g, post.)

1328d₁. *Same—Training of National Guards, camps, etc.*—To provide for the participation of the whole or any part of the National Guard in encampments, maneuvers, or other exercises, including outdoor target practice and field and coast defense instruction, either

independently or in conjunction with any part of the Regular Army, and there may be set aside from the funds apportioned for that purpose and allotted to any State, Territory, or the District of Columbia such portion of said funds as may be necessary for the payment, subsistence, transportation, and other proper expenses of such portion of the National Guard of said State, Territory, or the District of Columbia as shall participate in such encampments, maneuvers, or other exercises, including outdoor target practice and field and coast defense instruction; and the officers and enlisted men of such National Guard while so engaged shall be entitled to the same pay, subsistence, and transportation as officers and enlisted men of corresponding grades of the Regular Army are or hereafter may be entitled to by law. *Act of May 12, 1917 (40 Stat. 66).*

1328e. *Reduced rates of transportation for members of National Guard attending joint maneuvers.*—Hereafter nothing in the Act of February fourth, eighteen hundred and eighty-seven,¹ known as the Act to regulate commerce, or any amendments thereto, shall be construed to prohibit any common carrier from giving reduced rates for members of National Guard organizations traveling to and from joint encampments with the Regular Army. *Act of Aug. 29, 1916 (39 Stat. 646).*

1323f. *Joint encampments with Regular Army may be held by militia when impracticable to obtain presence of regular troops.*—For paying the expenses of the Organized Militia or National Guard of any State, Territory, or of the District of Columbia, which may be authorized by the Secretary of War to participate in such encampments as may be established for the field instruction of the troops of the Regular Army, as provided by sections fifteen and twenty-one of the Act of January twenty-first, nineteen hundred and three, entitled "An Act to promote the efficiency of the militia, and for other purposes," as amended, or as may hereafter be authorized by law, to be immediately available and to remain available until the end of the fiscal year nineteen hundred and seventeen, \$200,000 is hereby appropriated: *Provided*, That when it is not practicable to obtain the presence of regular troops for a joint encampment, the funds herein appropriated shall be available for such encampments, maneuvers, and field instruction for the Organized Militia or National Guard as the Secretary of War may prescribe. *Act of June 12, 1916 (39 Stat. 226).*

1330a. *Pay for participation in encampments, maneuvers, etc., beginning of.*—When any portion of the National Guard shall participate in encampments, maneuvers, or other exercises, including outdoor target practice, for field or coast-defense instruction, under

¹ 24 Stat., 379.

the provisions of this Act, it may, after being duly mustered, be paid at any time after such muster for the period from the date of leaving the home rendezvous to date of return thereto as determined in advance, both dates inclusive; and such payment, if otherwise correct, shall pass to the credit of the disbursing officer making the same. *Sec. 98, Act of June 3, 1916 (39 Stat. 207).*

(See paragraph 1331f.)

PAY OF OFFICERS AND ENLISTED MEN NOT IN SERVICE OF UNITED STATES.

1330b. *Schedule of pay for second lieutenants to captains; officers of higher rank to receive pay of captain.*—Certain commissioned officers on the active list belonging to organizations of the National Guard of each State, Territory, and the District of Columbia participating in the apportionment of the annual appropriation for the support of the National Guard shall receive compensation for their services, except during periods of service for which they may become lawfully entitled to the same pay as officers of corresponding grades of the Regular Army, as follows, not to include longevity pay: A captain \$500 per year and the same pay shall be paid to every officer of higher rank than that of captain, a first lieutenant \$240 per year, and a second lieutenant \$200 per year.¹ *Sec. 109, id. 209.*

¹ The following questions were presented for decision:

(a) Whether a retired officer of the Regular Army, appointed as an officer of the National Guard and detailed as property and disbursing officer, can receive the pay as property and disbursing officer provided for by section 67, act of June 3, 1916, and the National Guard pay provided by section 109, act of June 3, 1916, in addition to his retired pay of the Regular Army.

(b) Whether a retired enlisted man of the Regular Army, appointed as an officer of the National Guard and detailed as property and disbursing officer, can receive the pay as property and disbursing officer provided by section 67 of the act of June 3, 1916, and the National Guard pay provided by section 109 of the act cited, in addition to his pay as an enlisted man, retired, of the Regular Army.

Section 74 of the national-defense act of June 3, 1916, specifying the class from which National Guard officers may be selected, includes retired officers of the Regular Army, but does not include retired enlisted men except as they may become eligible by enlisting in the National Guard.

Held, as to (a), that the effect of the statutory provision for the appointment of retired officers of the Regular Army as officers in the National Guard is to give a retired officer so appointed the pay provided for in sections 67 and 109 of the national-defense act in addition to his retired pay in the Army; and, as to (b), that, inasmuch as the statute does not provide for the entry of retired enlisted men into the National Guard, previous decisions are applicable (20 Comp. Dec., 49, and 23 *id.*, 444), which are to the effect that the pay of a retired enlisted man of the Army while in the Federal service as a member of the Organized Militia or National Guard should be discontinued; in other words, that there is no prohibition against the commissioning of a retired enlisted man in the National Guard, after his enlistment therein, and then appointing him property and disbursing officer and paying him therefor from the amount appropriated from Federal funds, but during such time he will not be entitled to continue to draw his retired pay as an enlisted man of the Army. Accordingly, question (a) answered in the affirmative and question (b) in the negative.

(Comp. Treas., May 21, 1917; War Dept. Bull. 34, June 8, 1917.)

1330c. *Same*—*Secretary of War to prescribe regulations as to amount and character of service to be rendered to entitle to maximum pay.*—Regulations to be prescribed by the Secretary of War shall determine the amount and character of service that must be rendered by officers to entitle them to the whole or specific parts of the maximum pay hereinbefore authorized. *Id.*

1330d. *Same*—*Pay of staff officers, aids-de-camp, chaplains, etc.*—All staff officers, aids-de-camp, and chaplains shall receive not to exceed one-half of the pay of a captain, except that regimental adjutants, and majors and captains in command of machine-gun companies, ambulance companies, field hospital companies, or sanitary troops shall receive the pay hereinbefore authorized for a captain. *Id.*

1330e. *Pay of enlisted men on active list.*—Each enlisted man on the active list belonging to an organization of the National Guard of a State, Territory, or the District of Columbia, participating in the apportionment of the annual appropriation for the support of the National Guard, shall receive compensation for his services, except during periods of service for which he may become lawfully entitled to the same pay as an enlisted man of corresponding grade in the Regular Army, at a rate equal to twenty-five per centum of the initial pay now provided by law for enlisted men of corresponding grades of the Regular Army. *Sec. 110, id.*

1330f. *Same*—*Full compensation only in case of attendance upon maximum number of drills annually.*—Such enlisted man shall receive the compensation herein provided if he shall have attended not less than forty-eight regular drills during any one year, and a proportionate amount for attendance upon a lesser number of such drills, not less than twenty-four; and no such enlisted man shall receive any part of said compensation except as authorized by this proviso and the three provisos next following. *Id. 210.*

1330g. *Same*—*Compensation computed semiannually beginning the first day of January and July of each year.*—The compensation provided herein shall be computed for semiannual periods, beginning the first day of January and the first day of July of each year, in proportion to the number of drills attended; and no compensation shall be paid to any enlisted man for the first semiannual period of any year unless he shall have attended during said period at least twenty-four drills, but any lesser number of drills attended during said period shall be reckoned with the drills attended during the second semiannual period in computing the compensation, if any, due him for that year. *Id.*

1330h. *Same*—*Compensation for portion of semiannual period on enlistment or expiration during.*—When any man enters into an enlistment other than an immediate reenlistment he shall be entitled

to proportional compensation for that year if during the remainder of the year he shall attend a number of drills whose ratio to twenty-four is not less than the ratio of the part of the year so served to the whole year; and when any man's enlistment shall expire the compensation, if any, to which he may be entitled shall be determined in like manner. *Id.*

1330i. *Same—Acceptance of equivalent periods of military duty in lieu of drills.*—Periods of any actual military duty equivalent to the drills herein prescribed (except those periods of service for which members of the National Guard may become lawfully entitled to the same pay as officers and enlisted men of the corresponding grades in the Regular Army) may be accepted as service in lieu of such drills when so provided by the Secretary of War. *Id.*

1330j. *Same—Disbursements to be made by officers of Quartermaster Corps.*—All amounts appropriated for the purpose of this and the last preceding section shall be disbursed and accounted for by the officers and agents of the Quartermaster Corps of the Army, and all disbursements under the foregoing provisions of this section shall be made as soon as practicable after the thirty-first day of December and the thirtieth day of June of each year upon pay rolls prepared and authenticated in the manner to be prescribed by the Secretary of War. *Id.*

(See paragraph 1329, ante.)

1330k. *Same—Stoppages to cover cost of public property lost or destroyed by officers or enlisted men.*—Stoppages may be made against the compensation payable to any officer or enlisted man hereunder to cover the cost of public property lost or destroyed by and chargeable to such officer or enlisted man. *Id.*

1330l. *Same—Withholding payment for failure to comply with law as to age limit, staff organization, appointment of officers to fill vacancies, etc.*—Except as otherwise specifically provided herein, no money appropriated under the provisions of this or the last preceding section shall be paid to any person not on the active list, nor to any person over sixty-four years of age, nor to any person who shall fail to qualify as to fitness for military service under such regulations as the Secretary of War shall prescribe, nor to any State, Territory, or District, or officer or enlisted man in the National Guard thereof, unless and until such State, Territory, or District provides by law that staff officers, including officers of the Pay, Inspection, Subsistence, and Medical Departments, hereafter appointed, shall have had previous military experience and shall hold their positions until they shall have reached the age of sixty-four years, unless retired prior to that time by reason of resignation, disability, or for cause to be determined by a court-martial legally convened for that

purpose, and that vacancies among said officers shall be filled by appointment from the officers of the militia of such State, Territory, or District. *Id.*

1330m. *Same—Time limit within which such withholding becomes operative in any State or Territory.*—The preceding proviso shall not apply to any State, Territory, or District until sixty days next after the adjournment of the next session of its legislature held after the approval of this Act. *Id.*, 211.

1331a. *Leaves of absence for Government employees.*—All officers and employees of the United States and of the District of Columbia who are members of the National Guard shall be entitled to leave of absence from their respective duties, without loss of pay or time, on all days of any parade or encampment ordered or authorized under the provisions of this Act. *Sec. 49, Act of Mar. 1, 1889 (25 Stat. 779).*

1331b. *Leaves of absence for Government employees while engaged in training.*—All officers and employees of the United States and of the District of Columbia who shall be members of the National Guard shall be entitled to leave of absence from their respective duties, without loss of pay, time, or efficiency rating, on all days during which they shall be engaged in field or coast-defense training ordered or authorized under the provisions of this Act. *Sec. 80, Act of June 3, 1916 (39 Stat. 203).*

1331c. *Discipline, including training, to conform to system prescribed for Regular Army.*—The discipline (which includes training) of the National Guard shall conform to the system which is nor or may hereafter be prescribed for the Regular Army, and the training shall be carried out by the several States, Territories, and the District of Columbia so as to conform to the provisions of this Act. *Sec. 91, id. 206.*

1331d. *Same—Drill, instructions, and training, character and amount required annually.*—Each company, troop, battery, and detachment in the National Guard shall assemble for drill and instruction, including indoor target practice, not less than forty-eight times each year, and shall, in addition thereto, participate in encampments, maneuvers, or other exercises, including outdoor target practice, at least fifteen days in training each year, including target practice, unless such company, troop, battery, or detachment shall have been excused from participation in any part thereof by the Secretary of War. *Sec. 92, id.*

1331e. *Same—Credit for assembly drill or indoor target practice, duration of and minimum number to participate in, etc.*—Credit for an assembly for drill or for indoor target practice shall not be given unless the number of officers and enlisted men present for duty at such assembly shall equal or exceed a minimum to be prescribed by

the President, nor unless the period of actual military duty and instruction participated in by each officer and enlisted man at each such assembly at which he shall be credited as having been present shall be of at least one and one-half hours' duration and the character of training such as may be prescribed by the Secretary of War. *Id.*

1331f. *Secretary of War may provide instruction camps to be conducted by officers of Regular Army.*—Under such regulations as the President may prescribe the Secretary of War may provide camps for the instruction of officers and enlisted men of the National Guard. Such camps shall be conducted by officers of the Regular Army detailed by the Secretary of War for that purpose, and may be located either within or without the State, Territory, or District of Columbia to which the members of the National Guard designated to attend said camps shall belong. Officers and enlisted men attending such camps shall be entitled to pay and transportation, and enlisted men to subsistence in addition, at the same rates as for encampments or maneuvers for field or coast-defense instruction. *Sec. 97, id. 207.*

(See paragraph 1330a.)

1331g. *Appropriation for National Guard camps of instruction.*—To provide for camps of instruction for the instruction of officers and enlisted men of the National Guard. Such camps shall be conducted by officers of the Regular Army detailed by the Secretary of War for the purpose, and may be located either within or without the State, Territory, or District of Columbia to which the members of the National Guard designated to attend said camps shall belong. Officers and enlisted men attending such camps shall be entitled to pay and transportation, and enlisted men to subsistence in addition at the same rates as for encampments or maneuvers for field and coast-defense instruction. To be immediately available, \$500,000: *Provided*, That of this sum \$100,000, or as much thereof as may be necessary, is authorized to be expended for the payment of transportation of troops of the Regular Army in connection with joint camps of instruction of the National Guard. *Act of Aug. 29, 1916 (39 Stat. 645).*

(For provision relative to National Guard encampments, maneuvers, etc., see paragraph 1328d, ante.)

1331g1. *Same.*—To provide for camps of instruction for the instruction of officers and enlisted men of the National Guard. Such camps shall be conducted by officers of the Regular Army detailed by the Secretary of War for the purpose, and may be located either within or without the State, Territory, or District of Columbia to which the members of the National Guard designated to attend said camps shall belong. Officers and enlisted men attending such camps shall be entitled to pay and transportation and enlisted men to subsistence in addition at the same rates as for encampments or maneu-

vers for field and coast defense instruction. *Act of May 12, 1917 (40 Stat. 66).*

1331h. *Transportation of teams to participate in national matches, selection of and allotment for.*—For the payment of transportation of terms authorized by the Secretary of War to participate in the national matches, \$60,000: *Provided*, That this amount shall be proportioned among the several States, Territories, and the District of Columbia according to the distance from the seat of government to the place where the national matches are to be held: *And provided further*, That the governors of the States or Territories or the Board of Commissioners of the District of Columbia may designate which team or teams shall attend from their respective States, Territories, or District of Columbia. *Act of Aug. 29, 1916 (39 Stat. 648).*

1332a. *Detail of sergeants with the National Guard and with disciplinary organizations at United States Disciplinary Barracks.*—For the purpose of assisting in the instruction of the personnel and care of property in the hands of the National Guard the Secretary of War is authorized to detail from the Infantry, Cavalry, Field Artillery, Corps of Engineers, Coast Artillery Corps, Medical Department, and Signal Corps of the Regular Army not to exceed one thousand sergeants for duty with corresponding organizations of the National Guard and not to exceed one hundred sergeants for duty with the disciplinary organizations at the United States Disciplinary Barracks, who shall be additional to the sergeants authorized by this Act for the corps, companies, troops, batteries, and detachments from which they may be detailed.¹ *Sec. 36, Act of June 3, 1916 (39 Stat. 189).*

(See paragraph 480a, ante, for prior authorization for detail of officers, non-commissioned officers, etc., at the United States Disciplinary Barracks. For composition of the enlisted force of the Medical Department, the Corps of Engineers, Signal Corps, troop of Cavalry, Coast Artillery Corps, gun or howitzer battery of Field Artillery, and company of Infantry, see paragraphs 756a, 784a, 890a, 1074a, 1086a, and 1095b, respectively.)

1332b. *Detail of officers and enlisted men of Regular Army to duty with; officers may accept commissions in without vacating their Regular Army commissions.*—The Secretary of War shall detail officers of the active list of the Army to duty with the National Guard in each State, Territory, or District of Columbia, and officers so

¹ *Held*, that the purpose of the act being to provide for the detail of competent men for the purposes mentioned, the word "sergeants" should be construed in its broader sense so as to include the detail of sergeants, first class, in the few cases where, on account of the technical knowledge required, the instruction of the Signal Corps of the National Guard can be properly given only by such sergeants. (War Dept. Bull. 28, Aug. 18, 1916.)

Held, that the statute only authorizes additional sergeants, and that while it may be advisable and permissible at times to detail sergeants, first class, to duty as instructors (Bull. 28, W. D., 1916, p. 9), such an assignment can not operate to increase the authorized number of sergeants, first class, which is fixed by law. (War Dept. Bull. 3, Jan. 19, 1917.)

detailed may accept commissions in the National Guard,¹ with the permission of the President and terminable in his discretion, without vacating their commissions in the Regular Army or being prejudiced in their relative or lineal standing therein. The Secretary of War may, upon like application, detail one or more enlisted men of the Regular Army with each State, Territory, or District of Columbia for duty in connection with the National Guard. But nothing in this section shall be so construed as to prevent the detail of retired officers as now provided by law. *Sec. 100, id. 208.*

(See paragraphs 1333a-1333d, post.)

1332c. Temporary vacancies in Regular Army due to details in time of war.—In time of war the temporary vacancies created in any grade not above that of colonel among the commissioned personnel of any arm, staff corps, or department of the Regular Army, through appointments of officers thereof to higher rank in organizations composed of members taken from the National Guard, shall be filled by temporary promotions according to seniority in rank from officers holding commissions in the next lower grade in said arm, staff corps, or department, and all vacancies created in any grade by such temporary promotions shall be in like manner filled from, and thus create temporary vacancies in, the next lower grade, and the vacancies that shall remain thereafter in said arm, staff corps, or department and that can not be filled by temporary promotions, as prescribed in this section, may be filled by the temporary appointment of officers of such number and grade or grades as shall maintain said arm, corps, or department at the full commissioned strength authorized by law. *Sec 114, Id. 211.*

1332d. Same—Vacancies in staff corps and departments to be filled by temporary details.—In the staff corps and departments subject to the provisions of sections twenty-six and twenty-seven of the act

¹ On the question raised as to whether section 15 of the act of June 18, 1878 (20 Stat., 152), forbidding the employment of any part of the Army as a posse comitatus or otherwise to enforce the laws, except where expressly authorized by Congress, would preclude an officer of the Regular Army serving under a commission in the National Guard from serving with the National Guard in case of an emergency causing the governor to call out the same,

Held, that as section 100 of the national-defense act, approved June 3, 1916, authorizes officers of the Regular Army detailed to duty with the National Guard to "accept commissions in the National Guard, with the permission of the President, determinable in his discretion," and as section 61 of the same act recognizes the rights of the States "in the use of the National Guard within their respective borders in time of peace," the service of the regular officer under his commission as an officer of the National Guard would not be a violation of the posse comitatus act; that while holding a commission in the National Guard under authority of the act of June 3, 1916, he would be under orders of the governor of the State, and for the time being his status as a regular officer would be in abeyance; and that as an officer of the National Guard he would be subject to the lawful orders of the governor of the State. (War Dept. Bull. 15, March 24, 1917.)

of February second, nineteen hundred and one, and acts amendatory thereof,¹ temporary vacancies that can not be filled by temporary promotions as hereinbefore prescribed shall be filled by temporary details in the manner prescribed in said sections twenty-six and twenty-seven, and acts amendatory thereof, and the resulting temporary vacancies in the branches of the Army from which the details shall be so made shall be filled as hereinbefore in this section prescribed. *Id.* 212.

1332e. *Same*—*Temporary appointments and promotions to be made by the President and confirmed by the Senate.*—Officers temporarily promoted or appointed under the terms of this section shall be promoted or appointed by the President, by and with the advice and consent of the Senate, for terms that shall not extend beyond the war or the passing of the emergency for which additional forces were brought into the military service of the United States, and at the termination of the war or the passing of the emergency said officers shall be discharged from the positions held by them under their temporary commissions or appointments, and officers detailed as herein authorized shall be relieved from their temporary details. *Id.*

1332f. *Same*—*Officers temporarily promoted not to vacate their permanent commissions, etc.*—Officers temporarily promoted under the provisions of this section shall not vacate their permanent commissions nor be prejudiced in their relative or lineal standing in the Regular Army. *Id.*

1333a. *Inspector-instructors to use State armories for offices.*—Whenever practicable inspector-instructors shall use the State armories for offices. *Act of Aug. 29, 1916 (39 Stat. 647).*

(Similar provision in act of May 12, 1917. 40 Stat. 68.)

1333b. *Inspector-instructors limited to actual expenses when traveling.*—Travel of inspector-instructors in making visits of instruction to armories, * * * : *Provided*, That said inspector-instructors traveling shall not receive more than their actual expense out of these appropriations. *Id.*, 646.

(Similar provision in act of May 12, 1917. 40 Stat. 68.)

1334a. *Officers and enlisted men attending United States military schools.*—Under such regulations as the President may prescribe, the Secretary of War may, upon the recommendation of the governor of any State or Territory or the commanding general of the National Guard of the District of Columbia, authorize a limited number of selected officers or enlisted men of the National Guard to attend and pursue a regular course of study at any military service school of the United States, except the United States Military Academy; or to be attached to an organization of the same arm, corps, or department to

¹ See paragraphs 373-385, ante.

which such officer or enlisted man shall belong, for routine practical instruction at or near an Army post during a period of field training or other outdoor exercises; and such officer or enlisted man shall receive, out of any National Guard allotment of funds available for the purpose, the same travel allowances and quarters, or commutation of quarters, and the same pay, allowances, and subsistence to which an officer or enlisted man of the Regular Army would be entitled for attending such school, college, or practical course of instruction under orders from proper military authority, while in actual attendance at such school, college, or practical course of instruction. *Sec. 99, act of June 3, 1916 (39 Stat. 207).*

1334b. *Same—Pay and allowances in no case to exceed those of a captain.*—In no case shall the pay and allowances authorized by this section exceed those of a captain. *Id.*

1334c. *Appropriation for officers and enlisted men of National Guard attending Army service schools, etc.*—To provide for the attendance of selected officers or enlisted men of the National Guard who pursue a regular course of study at any military service school of the United States except the United States Military Academy, or to be attached to an organization of the same arm, corps, or department, to which such officers or enlisted men shall belong, for routine practical instruction at or near an Army post during a period of field training or other outdoor exercises; and such officer or enlisted men shall receive out of any National Guard allotment of funds available for the purpose, the same travel allowances and quarters or commutation of quarters, and the same pay, allowance, and subsistence to which officers or enlisted men of the Regular Army would be entitled for attending such school, college, or practical course of instruction under orders from proper military authority while in actual attendance at such school, college, or practical course of instruction, \$50,000: *Provided*, That in no case shall the pay and allowances authorized herein exceed those of a captain. *Act of Aug. 29, 1916 (39 Stat. 646).*

1334d. *Same.*—To provide for the attendance of selected officers or enlisted men of the National Guard who pursue a regular course of study at any military service school of the United States except the United States Military Academy; or to be attached to an organization of the same arm, corps, or department to which such officers or enlisted men shall belong, for routine practical instruction at or near an Army post during a period of field training or other outdoor exercises; and such officers or enlisted men shall receive out of any National Guard allotment of funds available for the purpose, the same travel allowances and quarters or commutation of quarters, and the same pay, allowance, and subsistence to which officers or enlisted men of the Regular Army would be entitled for attending such

school, college, or practical course of instruction under orders from proper military authority while in actual attendance at such school, college, or practical course of instruction: *Provided*, That in no case shall the pay and allowances authorized herein exceed those of a captain. *Act of May 12, 1917 (40 Stat. 67).*

1335a. *Adjutants general of States, duties of.*—The adjutants general of the States, Territories, and the District of Columbia and the officers of the National Guard shall make such returns and reports to the Secretary of War, or to such officers as he may designate, at such times and in such form as the Secretary of War may from time to time prescribe.¹ *Sec. 66, Act of June 3, 1916 (39 Stat. 199).*

1335b. *Adjutants general of Territories and District of Columbia, appointment of.*—The adjutants general of the Territories and of the District of Columbia shall be appointed by the President with such rank and qualifications as he may prescribe, and each adjutant general for a Territory shall be a citizen of the Territory for which he is appointed. *Id.*

(See paragraphs 1374, 1377, and 1378.)

1337a. *National Militia Board abolished; Militia Division changed to Militia Bureau.*—The National Militia Board created by section eleven of the Act of May twenty-seventh, nineteen hundred and eight,² amending section twenty of the Act of January twenty-first, nineteen hundred and three, shall, from the date of the approval of this Act, be abolished. The Militia Division now existing in the War Department shall hereafter be known as the Militia Bureau of said department, shall, like other bureaus of said department, be under the immediate supervision of the Secretary of War, and shall not form a part of any other bureau, office, or other organization, but the Chief of the Militia Bureau³ shall be ex officio a member of the General Staff Corps. *Sec. 81, id. 203.*

1337b. *Two officers of National Guard may be assigned to duty as assistants to chief of Militia Bureau; rank and pay of.*—The President may, in his discretion, assign to duty in the Militia Bureau as assistants to the chief thereof not to exceed one colonel and one lieutenant colonel of the National Guard, for terms of four years, and any such officer while so assigned shall, subject to such regulations as the President may prescribe, receive out of the whole fund appropriated for the support of the militia the pay and allowances of a

¹*Held*, that in providing for the organization of the National Guard as a Federal force Congress has recognized the duties of the several States, and has required or relied upon their cooperation; that the adjutant general is an official whom the act contemplates the State will provide and maintain in the performance of its duties; and that it recognizes the adjutant general of a State as a State official only and not as an officer of the National Guard. (War Dept. Bull. 18, July 8, 1916.)

²See paragraphs 1337 and 1338, ante, or 35 Stat. 402.

³For provision in section 3, act of October 6, 1917, giving the Chief of the Militia Bureau the rank, pay, and allowances of major general, see paragraph 373a.

Regular Army officer having the same rank and length of service as said National Guard officer, whose prior service in the Organized Militia shall be counted in ascertaining his rights under this proviso. *Id.*

USE OF ARMED LAND FORCES OF UNITED STATES.

1339a. *Drafted into service of United States.*—When Congress shall have authorized the use of the armed land forces of the United States, for any purpose requiring the use of troops in excess of those of the Regular Army, the President may, under such regulations, including such physical examination, as he may prescribe, draft into the military service of the United States, to serve therein for the period of the war unless sooner discharged, any or all members of the National Guard and of the National Guard Reserve.¹ *Sec. 111, id. 211.*

1339b. *Same—Organization of; subject to rules and Articles of War; discharged from militia.*—All persons so drafted shall, from the date of their draft, stand discharged from the militia,² and shall

¹ It is, therefore, clear that the President, in exercising the power of draft, is not required to draft the National Guard as a whole, but may draft a part thereof, in his discretion. He could, therefore, utilize the remainder of the National Guard as a part of a Volunteer Army in the manner prescribed in sec. 3 of the Volunteer Army Act. It may be here observed, however, that enlistment in the Volunteer Army is a voluntary matter, and the President can not compel the National Guard organization to enter the same. (War Dept. Bull. 18, July 8, 1916.)

The War Department is under no necessity to preserve the integrity of the National Guard units drafted into the Federal service. The National Guard element of the Army of the United States is not to be distinguished from any other composite element thereof, and, with certain exceptions as to certain officers, all members of the Army of the United States are upon the same plane, under the same legal obligation and have the same legal duties. During the war there is but one Army—the Army of the United States—and every organization, bureau officer, and man in the military service is a part of it. Accordingly, members of the Army of the United States drafted therein from Coast Artillery organizations of the National Guard have no more legal connection with the Coast Artillery than with any other branch of the service and they may be assigned to any branch of the service and organized and officered as the President sees fit. (Dig. Opin. J. A. G., January, 1918.)

² The provisions of section 72 of the national defense act of June 3, 1916 (39 Stat. 201), that an enlisted man discharged from the service of the National Guard shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular Army, does not require that individual certificates of discharge should be given by the proper State officers to members of the National Guard drafted into the service of the United States under the provisions of section 111 of said national defense act. The latter section provides that all persons so drafted into the Federal service shall from the date of their draft stand discharged from the militia and shall from said date be subject to such laws and regulations for the government of the Army of the United States, as may be applicable to members of the Volunteer Army. This provision does not discharge the members of the National Guard from military service but serves to divert them automatically of their militia status and to absorb them into the service of the United States. When mustered out of the Federal service they revert to their former status in the militia of the several States from which they were by the draft called into the Federal service, subject to the qualification that the time spent in the service of the United States will count upon their enlistment or terms of commission. It follows therefore that it is neither necessary nor proper that individual certificates of discharge provided for by section 72 should be issued to members of the militia when their organizations are drafted into the Federal service. (Dig. Opin. J. A. G., January, 1918.)

from said date be subject to such laws and regulations for the government of the Army of the United States as may be applicable to members of the Volunteer Army, and shall be embodied in organizations corresponding as far as practicable to those of the Regular Army or shall be otherwise assigned as the President may direct. *Id.*

1339c. Same—Appointment of commissioned officers.—The commissioned officers¹ of said organizations shall be appointed from among the members thereof, officers with rank not above that of colonel to be appointed by the President alone, and all other officers to be appointed by the President by and with the advice and consent of the Senate. *Id.*

1339d. Same—Pay and allowances of officers and enlisted men.—Officers and enlisted men in the service of the United States under the terms of this section shall have the same pay and allowances as officers and enlisted men of the Regular Army of the same grades and the same prior service.² *Id.*

¹ See note to paragraph 329a for distinction between commissioned officers of the National Guard drafted into Federal service and commissioned officers of the Regular Army, etc.

² The governor of a State, referring to the opinion of the Judge Advocate General dated November 4, 1916 (Bul. 53, S. D., 1916), with reference to charging the clothing in the possession of the militia on their muster into the Federal service against the initial allowance of the men, submitted the following questions:

(a) Whether the interpretation of the law as given in the said opinion is not in violation of paragraph 460, Army Regulations?

(b) Whether it does not have the effect of requiring the full price of clothing issued to the State and brought with the National Guard or Organized Militia into the Federal service to be charged against the initial allowance of the enlisted men?

Held, with reference to (a), that the requirement as stated in the said opinion of the Judge Advocate General is contrary to the terms of the regulation, but that the law requires that the militia while in the Federal service shall receive the same pay and allowances as Regular troops, and as Regular troops are charged with the clothing supplied to them on enlistment, it follows that the clothing with which the militia is supplied when entering the Federal service, the clothing having been furnished by the Government, must be charged to them; that the requirement of the regulation, being inconsistent with the law, must give way to the law.

Held, with respect to (b), that the opinion of this office under consideration does not require the clothing to be charged at the full issue price of the same, but that if the clothing is worn it should be charged at a reduced price fixed by a surveying officer in view of its condition at the time. (War Dept. Bul. 15, Mar. 24, 1917.)

The question was presented for decision whether enlisted men of the Organized Militia or National Guard when brought into the service of the United States under the militia act of 1903, as amended, or when drafted into the Federal service under section 111 of the act of June 3, 1916, are entitled to receive additional pay for qualifications as first or second class gunners attained prior to their being brought into the service of the United States.

Held, that inasmuch as the requirements for qualifications as gunners are the same for the enlisted men in the militia or National Guard as for the enlisted men of the Regular Army, and as the laws relating to pay give the militia, when brought into the service of the United States, the same pay and allowances as are or may be provided by law for the Regular Army, they are entitled to the additional pay as gunners under their qualifications attained prior to their being brought into the Federal service, subject to the conditions imposed by paragraph 1344, Army Regulations, 1913. (Comp. Treas., July 21, 1916, War Dept. Bul. June 8, 1917.)

In the case of certain members of the Officers' Reserve Corps and officers

1339e. Same—Pensions.—When any officer or enlisted man of the National Guard drafted into the service of the United States in time

of the National Guard on duty at a military post, the question was raised as to the legality of their being charged by the Quartermaster Corps for fuel and light consumed by them in public quarters.

Held, that Congress has very clearly manifested its intention in legislation that National Guard troops and members of the Officers' Reserve Corps in the active service of the United States shall receive the same pay and allowances as is provided by law for officers and enlisted men of the Regular Army of like grades, and that under the act of March 2, 1907 (34 Stat. 1167), all officers are entitled to heat and light actually necessary for the allowance of quarters to which they are entitled and have been assigned, and in case National Guard officers and members of the Officers' Reserve Corps on duty at any military post are duly occupying their authorized allowance of public quarters at such post, they should not be charged for heat and light actually necessary for such quarters. (War Dept. Bull. 54, Sept. 26, 1917.)

Officers and enlisted men of the National Guard are, when drafted into the Federal service, under the act of June 3, 1916, entitled to credit for their prior service, both State and Federal, in the National Guard, for purposes of longevity and continuous-service pay. But this right is limited to those actually brought into the service as National Guardsmen under the draft. (As to rank see below.) (War Dept. Bull. 67, Nov. 30, 1917.)

An officer of the National Army or of the Reserve Corps can not count prior service in the National Guard in computing service for longevity pay. Such service may be so counted only by officers drafted as National Guard officers, and only so long as they continue in service under the draft. (War Dept. Bull. 72, Dec. 24, 1917.)

Commissioned officers of the Regular Army who have had State (not Federal) service in the militia or National Guard are not entitled to count such service in the computation of their longevity pay. Officers of the National Guard drafted into the military service of the United States under section 111 of the national defense act of June 3, 1916, are entitled to have counted all legal service which they have had in the Organized Militia or National Guard and in the Army and Navy, if any, in computing their longevity pay. (War Dept. Bull. 75, Dec. 31, 1917.)

Proof of previous service in the National Guard as a basis of claim for longevity pay on the part of a member of the National Guard drafted into the Federal service should be made out by means of clear and unequivocal evidence and by the best evidence obtainable. In those cases where such service as an officer or an enlisted man is evidenced by a commission, warrant, oath of enlistment, or other document, the claimant should produce, if possible, either the document itself or a certificate from the adjutant general of the State or the person in charge of such records to the effect that there was issued or filed such a commission, warrant, enlistment oath, or other document. If it be not possible to produce such document or such certificate as to the existence of such a record, secondary evidence thereof can be resorted to only upon proof of certificate of the adjutant general or of the custodian of such records, showing that diligent search has been made and that no record of such commission, warrant, or enlistment has been found or that such record has been lost or destroyed. The door to the admission of secondary evidence having been thus opened, proof of such service in the National Guard should then be made by the best and most convincing secondary evidence obtainable. (Dig. Opin. J. A. G., January, 1918.)

An officer in the National Guard of a State who resigned his commission therein in order to enter a reserve officer's training camp and who was thereafter commissioned in the National Army is not entitled to longevity pay under section 111 of the national defense act of June 3, 1916. When he entered the training camp he was not on the footing of a drafted man, but was a civilian candidate for a commission in the Army and as such he was no longer a member of the National Guard; nor was he at that time, or thereafter, drafted into Federal service. "Such officers only as were drafted into Federal service under section 111 of the national defense act as members of the National Guard or National Guard Reserve are entitled to count State service in the National Guard for longevity pay purposes." (Comp. Treas., Feb. 16, 1918; Dig. Opin. J. A. G., February, 1918.)

of war is disabled by reason of wounds or disability received or incurred while in the active service of the United States in time of war, he shall be entitled to all the benefits of the pension laws existing at the time of his service, and in case such officer or enlisted man dies in the active service of the United States in time of war or in returning to his place of residence after being mustered out of such service, or at any other time in consequence of wounds or disabilities received in such active service, his widow and children, if any, shall be entitled to all the benefits of such pension laws.¹ *Sec. 112, id.*

(See paragraphs 1348 and 1339j.)

1339f. *Physical examination of officers and enlisted men on being called into service of United States.*—Every officer and enlisted man of the National Guard who shall be called into the service of the United States as such shall be examined as to his physical fitness under such regulations as the President may prescribe without further commission or enlistment.² *Sec. 115, id. 212.*

1339g. *Same—Physical examination prior to muster out.*—Immediately preceding the muster out of an officer or enlisted man called into the active service of the United States he shall be physically examined under rules prescribed by the President of the United States, and the record thereof shall be filed and kept in the War Department. *Id.*

¹ Under section 112 of the national-defense act of June 3, 1916, officers of the National Guard drafted into the service of the United States are entitled to the benefits of the pension laws. By section 2 of the selective-draft act of May 18, 1917, the laws and regulations governing the Regular Army, except as to promotions, apply to such officers so drafted in so far as such laws and regulations are applicable to persons whose permanent retention in the military service is not contemplated by existing law. It is not contemplated that officers drafted into the service are to be permanently retained therein. Therefore the laws governing retirement do not apply to them, but the pension laws do apply. (War Dept. Bull. 75, Dec. 31, 1917.)

² Held as follows: Under the national-defense act the National Guard occupies a dual statue, i. e., as a national force and also as a State force, and no officer or enlisted man can remain a member unless he is physically qualified for Federal service. Congress has prescribed the qualifications for commission or enlistment in the National Guard and has asserted, on behalf of the United States, the authority to prescribe the conditions under which enlistments and discharges in and from the National Guard shall be made. Section 72 of the national-defense act restricts discharges in time of peace, so that no discharge may be given in time of peace "prior to the expiration of terms of enlistment," except "under such regulations as the President may prescribe." Section 115 provides for a medical examination to determine the physical condition of the officers and enlisted men when called into the service of the United States, and it appears clear that an officer or enlisted man, upon being examined as required in that section and found physically defective, must be discharged not only from the operation of the call into the Federal service, but also from the National Guard. In the case of an enlisted man the discharge, when ordered, should be effected by a discharge in writing, signed by the proper National Guard commander, under the provisions of section 72 of the national-defense act, and should be so worded as to show that it is a discharge not only from the operation of the Federal call, but also from the National Guard. With respect to a commissioned officer, a discharge should be ordered by the President and should purport to be a discharge from the National Guard. (War Dept. Bull. 28, Aug. 18, 1916.)

1339h. *Congress declares emergency to exist and authorizes drafting of the National Guard, the Organized Militia, and Organized Militia Reserves.*—In the opinion of the Congress of the United States an emergency now exists which demands the use of troops in addition to the Regular Army of the United States, and that the President be, and he is hereby, authorized to draft into the military service of the United States, under the provisions of section one hundred and eleven of the national defense Act approved June third, nineteen hundred and sixteen, so far as the provisions of said section may be applicable and not inconsistent with the terms hereof, any or all members of the National Guard and of the Organized Militia of the several States, Territories, and the District of Columbia and any and all members of the National Guard and Organized Militia Reserves, to serve for the period of the emergency, not exceeding three years, unless sooner discharged. *Sec. 1, Joint Resolution of July 1, 1916 (39 Stat. 339).*

1339i. *Same—Persons so drafted to stand discharged from militia during period of their service.*—All persons so drafted shall, from the date of their draft, stand discharged from the militia during the period of their service under said draft. *Id. 340.*

1339j. *Same—Pensions.*—The provisions of section one hundred and twelve of the national defense Act of June third, nineteen hundred and sixteen, shall be applicable to any officer or enlisted man drafted into the service of the United States pursuant to the provisions of this joint resolution.¹ *Sec. 2, id.*

1339k. *Same—Organization of drafted units and appointment of officers for same.*—When organizations the members of which are drafted under the provisions of this resolution do not constitute complete tactical units the President may, by combining such organizations, organize battalions, regiments, brigades, and divisions, and may appoint officers for such units from the Regular Army, from the members of such organizations, from those duly qualified and registered pursuant to section twenty-three of the Act of Congress approved January twenty-first, nineteen hundred and three,² or members of the Officers' Reserve Corps as provided in section thirty-eight of the national defense Act of June third, nineteen hundred and sixteen, officers with rank not above that of colonel to be appointed by the President alone and all other officers to be appointed by the President, by and with the advice and consent of the Senate. *Sec. 3, id.*

1339l. *Same—Vacancies in Regular Army caused by appointment of officers to positions in drafted forces, filling of.*—Vacancies incident to the appointment of officers of the Regular Army to the posi-

¹ See par. 1339e, ante.

² See footnote to paragraph 1338, ante, for law authorizing list of eligibles for commissions.

tions in the forces drafted for this emergency may be filled under the provisions of section eight of the Act of April twenty-fifth, nineteen hundred and fourteen.¹ *Id.*

1339m. *Same—Rank and command, officers of same grade.*—Whenever in time of war or public danger or during the emergency declared in section one of this resolution, two or more officers of the same grade are on duty in the same field, department, or command, or organizations thereof, the President may assign the command of the forces of such field, department, or command, or of any organization thereof, without regard to seniority of rank in the same grade. In the absence of such assignment by the President, officers of the same grade shall rank and have precedence in the following order without regard to date of rank or commission as between officers of different classes, namely: First, officers of the Regular Army and officers of the Marine Corps detached for service with the Army by order of the President; second, officers of forces drafted into the military service of the United States. *Sec. 4, id.*

1339n. *Same—Rank and precedence of officers of Regular Army holding commissions in drafted forces.*—Officers of the Regular Army holding commissions in forces drafted into the service of the United States shall rank and have precedence under said commissions as if they were commissioned in the Regular Army; but the rank of officers of the Regular Army under their commissions in the forces drafted into the service of the United States shall not for the purpose of this resolution be held to antedate muster or draft into the service of the United States. *Id.*

1339o. *Officers and enlisted men of National Guard and Medical Reserve Corps who are Government employees and responded to the call to be restored to their positions at expiration of their military service.*—All officers and enlisted men of the National Guard and of the Medical Reserve Corps of the Army who are Government employees and who respond to the call of the President for service shall, at the expiration of the military service to which they are called, be restored to the positions occupied by them at the time of the call. *Act of Aug. 29, 1916 (39 Stat. 624).*

1339p. *Draft, organize, and officer National Guard and National Guard Reserve.*—To draft into the military service of the United States, organize, and officer, in accordance with the provisions of section one hundred and eleven² of said national defense Act, so far as the provisions of said section may be applicable and not inconsistent with the terms of this Act, any or all members of the National Guard and of the National Guard Reserves, and said members so drafted into the military service of the United States shall serve therein for

¹ See par. 1389, ante.

² Paragraph 1339a, ante, or 39 Stat. 211.

the period of the existing emergency unless sooner discharged.¹ *Par. 2, Sec. 1, Act of May 18, 1917 (40 Stat. 76).*

(For provision authorizing the raising of the enlisted men of the National Guard drafted into the service of the United States to their maximum legal strength by voluntary enlistment or by selective draft, see paragraph 1637, post.)

1339q. *Same—State designations of organizations to be retained.*—When so drafted the organizations or units of the National Guard shall, so far as practicable, retain the State designations of their respective organizations. *Id.*

(For paragraph 1 of this section, see paragraphs 331c $\frac{1}{2}$ and 331c $\frac{3}{4}$, ante.)

1342a. *Subject to rules and articles of war when called into service of United States.*—The National Guard when called as such into the service of the United States shall, from the time they are required by the terms of the call to respond thereto, be subject to the laws and regulations governing the Regular Army, so far as such laws and regulations are applicable to officers and enlisted men whose permanent retention in the military service, either on the active list or on the retired list, is not contemplated by existing law.² *Sec. 101, Act of June 3, 1916 (39 Stat. 208).*

¹ An officer of the National Guard drafted into the service of the United States by the proclamation of the President of July 3, 1917, pursuant to the provisions of the selective draft act of May 18, 1917, may be discharged in either of the two ways prescribed by section 9 of the act. Such an officer is not entitled to the right to appear before a retiring board as provided by law for officers of the Regular Army and has no right under the law to be heard by any board if the President determines that his discharge would promote the public service. As to the procedure of retiring boards see Ops. J. A. G. 210.81, Jan. 14, 1918. (Dig. Opin. J. A. G., January, 1918.)

Members of the Quartermaster Corps and of the Ordnance and Medical Departments of the New York National Guard, designated by the Militia Bureau of the War Department in Circular 29, paragraph 7, as "attached personnel" do not come within the President's proclamation of July 3, 1917, drafting into the service of the United States the National Guard of the several States; but are specifically excluded therefrom, being members of the staff corps and departments not included in the personnel of tactical organizations. Where the services of any or all members of the attached personnel are desired by the Federal Government an order should be issued under authority of the President drafting them into the service of the United States, and such men as are to be used in noncommissioned grades should be appointed noncommissioned officers in the Army of the United States. (*Id.*)

The national defense act does not recognize individuals as national guardsmen, except as they form component parts of an organization which conforms to the standards therein prescribed. A National Guard regiment which was authorized by the President, but which did not conform to the requirements of the national defense act at the time of the drafting of the National Guard on August 5, 1917, was not included in such draft and the individual members of such regiment were not affected by it. (*Id.*)

² Upon the recommendation that prompt action be taken to apprehend and punish such members of National Guard organizations as may have failed to respond to the call of March 25, 1917:

Held, that the said call embraced only organizations of the National Guard and did not include members of the Organized Militia who failed to qualify under the national defense act of June 3, 1916; that by the terms of section 101 of that act "The National Guard, when called as such into the service of the United States, shall, from the time they are required by the terms of the call

COURT-MARTIAL.

1343a. *System of courts-martial for when not in service of United States.*—Except in organizations in the service of the United States, court-martial in the National Guard shall be of three kinds, namely, general courts-martial, special courts-martial, and summary courts-martial. They shall be constituted like, and have cognizance of the same subjects, and possess like powers, except as to punishments, as similar courts provided for by the laws and regulations governing the Army of the United States, and the proceedings of courts-martial of the National Guard shall follow the forms and modes of procedure prescribed for said similar courts. *Sec. 102, id.*

1343b. *Same—Convening authority and jurisdiction of general courts-martial.*—General courts-martial of the National Guard not in the service of the United States may be convened by orders of the President, or of the governors of the respective States and Territories, or by the commanding general of the National Guard of the District of Columbia, and such courts shall have the power to impose fines not exceeding \$200; to sentence to forfeiture of pay and allowances; to a reprimand; to dismissal or dishonorable discharge from the service; to reduction of noncommissioned officers to the ranks; or any two or more of such punishments may be combined in the sentences imposed by such courts. *Sec. 103, id.*

1343c. *Same—Convening authority and jurisdiction of special courts-martial.*—In the National Guard, not in the service of the United States, the commanding officer of each garrison, fort, post, camp, or other place, brigade, regiment, detached battalion, or other detached command, may appoint special courts-martial for his command; but such special courts-martial may in any case be appointed by superior authority when by the latter deemed desirable. Special courts-martial shall have power to try any person subject to military law, except a commissioned officer, for any crime or offense made punishable by the military laws of the United States, and such special courts-martial shall have the same powers of punishment as do general courts-martial, except that fines imposed by such courts shall not exceed \$100. *Sec. 104, id.*

1343d. *Same—Convening authority and jurisdiction of summary courts.*—In the National Guard, not in the service of the United States, the commanding officer of each garrison, fort, post, or other place, regiment or corps, detached battalion, company, or other de-

to respond thereto, be subject to the laws and regulations governing the Regular Army;" that their failure to respond renders them punishable under the Articles of War for disobeying the orders of the President for their mobilization, and, if the circumstances evidence an intent to abandon the Federal service, also for desertion; and that they may be charged with either offense, or both, and tried therefor by court-martial. (War Dept. Bull. 34, June 8, 1917.)

tachment of the National Guard may appoint for such place or command a summary court to consist of one officer, who shall have power to administer oaths and to try the enlisted men of such place or command for breaches of discipline and violations of laws governing such organizations; and said court, when satisfied of the guilt of such soldier, may impose fines not exceeding \$25 for any single offense; may sentence noncommissioned officer to reduction to the ranks; may sentence to forfeiture of pay and allowances. The proceedings of such court shall be informal, and the minutes thereof shall be the same as prescribed for summary courts of the Army of the United States. *Sec. 105, id.*

1343e. *Same*—*All courts-martial may impose confinement in lieu of authorized fines.*—All courts-martial of the National Guard, not in the service of the United States, including summary courts, shall have power to sentence to confinement in lieu of fines authorized to be imposed: *Provided*, That such sentences of confinement shall not exceed one day for each dollar of fine authorized. *Sec. 106, id. 209.*

1343f. *Same*—*Approval of sentence of dismissal or dishonorable discharge.*—No sentence of dismissal from the service or dishonorable discharge, imposed by a National Guard court-martial, not in the service of the United States, shall be executed until approved by the governor of the State or Territory concerned, or by the commanding general of the National Guard of the District of Columbia. *Sec. 107, id.*

1343g. *Same*—*Presidents of courts-martial and summary court officers empowered to issue warrants for arrest of accused and other necessary process.*—In the National Guard, not in the service of the United States, presidents of courts-martial and summary court officers shall have power to issue warrants to arrest accused persons and to bring them before the court for trial whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court, a copy of the charge or charges having been delivered to the accused with such order, and to issue subpoenas and subpoenas duces tecum and to enforce by attachment attendance of witnesses and the production of books and papers, and to sentence for a refusal to be sworn or to answer as provided in actions before civil courts. *Sec. 108, id.*

1343h. *Same*—*All processes and sentences of courts to be executed by prescribed civil officers.*—All processes and sentences of said courts shall be executed by such civil officers as may be prescribed by the laws of the several States and Territories, and in any State where no provision shall have been made for such action, and in the Territories and the District of Columbia, such processes and sentences shall be executed by a United States marshal or his duly appointed deputy,

and it shall be the duty of any United States marshal to execute all such processes and sentences and make return thereof to the officer issuing or imposing the same. *Id.*

ENLISTMENTS.

1344a. *Period of.*—Hereafter the period of enlistment in the National Guard shall be for six years, the first three years of which shall be in an active organization and the remaining three years in the National Guard Reserve,¹ hereinafter provided for, and the qualifications for enlistment shall be the same as those prescribed for admission to the Regular Army.² *Sec. 69, id. 200.*

1344b. *Same—May be active during entire enlistment period, with right to reenlist.*—In the National Guard the privilege of continuing in active service during the whole of an enlistment period and of

¹ See paragraph 1325o, ante.

² *Held*, that those members so qualified who are in the active service of the United States under the President's call of June 18, 1916, which all did not include the National Guard Reserve, are entitled to be mustered out of the active service at the end of their active enlistment period of three years for the purpose of taking their place in the National Guard Reserve, and that they can not be held for further active service against their will, but that they have the privilege, under section 69 of the national defense act, of continuing in the active service during the whole of the enlistment period; and further, that they may, with the concurrence of the War Department, elect to continue in active service for such portion of the remaining three years during which the National Guard shall remain in active Federal service. (War Dept. Bull. 28, Aug. 18, 1916.)

Roach enlisted on April 24, 1914, in the Alabama National Guard for the period of three years. On June 29, 1916, he took the oath prescribed by section 70 of the national-defense act. On July 1, 1916, the company of which Roach was a member was mustered into the service of the United States. On April 24, 1917, Roach requested to be furloughed to the National Guard Reserve, but his papers were not properly made out. He continued to do duty until June 22, 1917, when his company commander again sent a request that Roach be furloughed to the Reserve. While awaiting action on the request the company commander permitted him to surrender all Government property, gave him transportation to his home, and directed him to go there and await receipt of papers evidencing his furlough. On July 26, 1917, Roach's request for furlough to the Reserve was returned from headquarters disapproved. Shortly thereafter, and prior to August 5, 1917, Roach was informed that his request for furlough had been denied and was ordered to report back to his company for service. This he declined to do, and had an altercation with the officer who ordered him to return to his company. He was placed in the Montgomery County jail under arrest pending his trial by military authorities on the charge of striking a superior officer. He secured a writ of habeas corpus. The return of the sheriff to the writ showed that he was holding Roach under the circumstances above stated.

Held, That under the provisions of the national-defense act an enlisted man is not automatically furloughed to the Reserve upon the expiration of his enlistment; that the acts of the company captain without the approval of the War Department could not operate as a discharge of Roach or as a furlough to the Reserve; and that Roach be remanded to the custody of the United States military authorities and his petition for discharge on habeas corpus be denied and dismissed. (Ex parte Roach (U. S. Dist. Ct. N. D. Ala., Aug. 14, 1917), 244 Fed. 625. War Dept. Bull. 67, Nov. 30, 1917.)

reenlisting in said service shall not be denied by reason of anything contained in this Act.¹ *Id.*

1344c. Federal enlistment contract and oath.—Enlisted men in the National Guard of the several States, Territories, and the District of Columbia now serving under enlistment contracts which contain an obligation to defend the Constitution of the United States and to obey the orders of the President of the United States shall be recognized as members of the National Guard under the provisions of this Act for the unexpired portion of their present enlistment contracts. When any such enlistment contract does not contain such obligation, the enlisted man shall not be recognized as a member of the National Guard until he shall have signed an enlistment contract and taken and subscribed to the following oath of enlistment, upon signing which credit shall be given for the period already served under the old enlistment contract: "I do hereby acknowledge to have

¹*Held*, that the sense of the above statutory provision is that an enlisted man of the National Guard who elects to remain in service instead of being furloughed to the National Guard Reserve at the expiration of the first three-year period of his enlistment must make the election as to the whole of his enlistment period, and that the soldier in the instant case could not elect to remain in the active service only one year of the remaining three years of his enlistment period. (War Dept. Bull. 47, Nov. 16, 1916.)

A soldier in a National Guard organization was, through misinterpretation of the regulations governing the National Guard Reserve, continued in the active service after the expiration of his active enlistment, and it was asked whether he might be continued in the active service and be allowed pay for the time already served.

Held, that, while the term of enlistment prescribed by the national-defense act would seem to involve an automatic passing to the reserve at the expiration of the active period of enlistment, such a deduction can not be held to interfere with the soldier's privilege of continuing in the active service, in view of the proviso of section 69, national-defense act, reading: "that in the National Guard the privilege of continuing in active service during the whole of an enlistment period * * * shall not be denied by reason of anything contained in this act"; and that since the soldier referred to in the inquiry desired to continue in the active service, and actually did so, he may properly be regarded as having legally continued in active service, his service in that capacity having been accepted by proper authority. (War Dept. Bull. 34, June 8, 1917.)

Upon questions (a) whether soldiers could legally be discharged by reason of expiration of term of enlistment subsequent to the passage of the act of May 18, 1917, and (b) whether that act was effective to continue in force enlistments in the National Guard,

Held, that question (a) must be answered in the negative since the provision contained in section 7 of the act of May 18, 1917, is an inhibition against discharges unless ordered by the Secretary of War under his general power to grant discharges in the interest of the Government, and since the soldier's enlistment is prolonged for the period of the emergency by the provision, a discharge for the purpose of immediate enlistment would involve administrative labor and a multiplication of records without any resultant benefit to the Government.

Held further as to question (b), that since the provision quoted is applicable to "all enlistments," it is applicable to enlistments in the National Guard, they being enlistments in the National Guard of the United States as well as in the National Guard of a State; and the question is answered in the affirmative. (War Department Bull. 49, Aug. 22, 1917.)

voluntarily enlisted this — day of —, 19—, as a soldier in the National Guard of the United States and of the State of —, for the period of three years in service and three years in the reserve, under the conditions prescribed by law, unless sooner discharged by proper authority. And I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of —, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the governor of the State of —, and of the officers appointed over me according to law and the Rules and Articles of War.”¹ *Sec. 70, id. 201.*

1344d. Same—Applies to all subsequent enlistments.—Hereafter all men enlisting for service in the National Guard shall sign an enlistment contract and take and subscribe to the oath prescribed in the preceding section of this Act. *Sec. 71, id.*

1344e. Discharge, form of; may be issued in time of peace before expiration of term of enlistment.—An enlisted man discharged from service in the National Guard shall receive a discharge in writing in such form and with such classification as is or shall be prescribed for the Regular Army and in time of peace discharges may be given prior to the expiration of terms of enlistment under such regulations as the President may prescribe.² *Sec. 72, id.*

¹ In certain National Guard organizations responding to the President's call of March 27, 1917, were found members who had not qualified as national guardsmen under section 70 of the act of June 3, 1916.

Held, that inasmuch as the President's call of March 27, 1917, applied only to the National Guard the soldiers in question, as members of the Organized Militia, were under no obligation to respond thereto, and the fact that they appeared for service in the National Guard organizations did not operate to create any obligation on the part of the Government to pay or provide for them; and that therefore, while they still remained subject, as organized militiamen to be called into the Federal service as such, they should be dropped from the National Guard rolls for failure to qualify as national guardsmen. (War Dept. Bull. 34, June 8, 1917.)

Where an enlisted man of the Organized Militia called out in the national defense refused to take the Federal enlistment oath prescribed in the act of June 3, 1916, or to be formally mustered into the Federal service, but who was treated in all respects as a member of the organization in that service and was required to perform all the duties of a soldier from the date of his enlistment to the date of his muster out,

Held, that he was entitled to pay as a member of the organization during the period referred to.

(Comp. Treas., May 12, 1917; War Dept. Bull. July 19, 1917.)

²(a) “Can a member of the National Guard be furloughed to the reserve before the end of the active service period?”

(b) “Can a member of the National Guard, once furloughed before the end of the three-year term of active service, be removed from the reserve and be restored to the active list to serve the remainder of the three-year active term?”

Held, that the word “service,” as used in section 72, relates to the active three-year period, and that an enlisted man is entitled to a discharge in writing at the end of such period; that such discharge is not the final and absolute discharge so familiar to the Regular Army, but is a release from active service, remitting the soldier to the reserve. *Held*, as to (a) that since section 72 unqualifiedly authorizes discharge in time of peace, under regulations prescribed by the President, a National Guardsman may be discharged from active

OFFICERS.

1344f. *Regularly commissioned officers to continue in office without issuance of new commissions.*—Commissioned officers of the National Guard of the several States, Territories, and the District of Columbia now serving under commissions regularly issued shall continue in office, as officers of the National Guard, without the issuance of new commissions.¹ *Sec. 73, id.*

1344g. *Same—Federal oath to be taken by.*—Said officers have taken, or shall take and subscribe to the following oath of office: "I, ———, do solemnly swear that I will support and defend the Constitution of the United States and the constitution of the State of ———, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will obey the orders of the President of the United States and of the governor of the State of ———; that I make this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office of ——— in the National Guard of the United States and of the State of ——— upon which I am about to enter, so help me God."² *Id.*

service and transferred to the reserve *before* the end of the active-service period. *Held*, as to (b), that since a discharge from active service is a release from so much of the enlistment contract as requires active service, such obligation can not be renewed without the soldiers consent, which would have to be embodied in a new contract, and therefore a member of the National Guard reserve can be restored to the three-year active service status in the National Guard only by discharge and reenlistment. (War Dept. Bull. 3, Jan. 19, 1917.)

¹ *Held*, that this provision operates only to render effective in the National Guard commissions issued by a State and does not prolong the officer's commission, and that a National Guard officer in the service of the United States can not, under existing law, be compelled to continue in the service of the United States as an officer of the National Guard after the expiration of his commission. (War Dept. Bull. 3, Jan. 19, 1917.)

² Upon the questions (a) whether officers who have taken the oath prescribed by section 73 of the National Defense Act but who belong to organizations the enlisted men of which have not taken the oath prescribed by section 70, are officers of the National Guard within the meaning of that Act; and (b) what effect will the taking of the oath prescribed in section 70 of the National Defense Act by an enlisted man of the Organized Militia of the State have upon his enlistment in the Organized Militia under the law of his State?

Held, as to (a) that an officer of the Organized Militia who takes the oath prescribed by section 73 of the National Defense Act becomes an officer of the National Guard under the National Defense Act, that there may be a recognition of an individual member of the National Guard, officer or enlisted man, separate and apart from the recognition of the organization to which he belongs, that while under the provisions of sec. 110 pay can only accrue to officers and enlisted men belonging to recognized organizations, the recognition of an officer or enlisted man separately may have substantial value, in that he thereby becomes qualified for appointment to office in the National Guard under sec. 74, and if an officer between the ages of 21 and 37 years becomes eligible for appointment as second lieutenant in the Regular Army under sec. 24; and as to (b) that the taking of the oath prescribed by sec. 70 by an enlisted man of the Organized Militia transforms the enlisted man of the Organized Militia into a member of the National Guard and substitutes a new enlistment contract for his former State enlistment contract. (War Dept. Bull. 47, Nov. 16, 1916.)

1344h. *Classes from which commissioned officers may be selected for appointment.*—Persons hereafter commissioned as officers of the National Guard shall not be recognized as such under any of the provisions of this Act unless they shall have been selected from the following classes and shall have taken and subscribed to the oath of office prescribed in the preceding section of this Act: Officers or enlisted men of the National Guard; officers on the reserve or unassigned list of the National Guard officers, active or retired, and former officers of the United States Army, Navy, and Marine Corps; graduates of the United States Military and Naval Academies and graduates of schools, colleges, and universities where military science is taught under the supervision of an officer of the Regular Army, and, for the technical branches and staff corps or departments, such other civilians as may be especially qualified for duty therein.¹ *Sec. 74, id.*

(See footnote to paragraph 1325a.)

1344i. *Same—Examination to determine physical, moral, and professional fitness for appointment.*—The provisions of this Act shall not apply to any person hereafter appointed an officer of the National Guard unless he first shall have successfully passed such tests as to his physical, moral, and professional fitness as the President shall prescribe. The examination to determine such qualifications for commission shall be conducted by a board of three commissioned officers appointed by the Secretary of War from the Regular Army or the National Guard, or both. *Sec. 75, id. 202.*

(See footnote to paragraph 1330f; also footnote to paragraph 1325a.)

1344j. *Filling vacancies in organizations which have been drafted into Federal service.*—All vacancies occurring in any grade of commissioned officers in any organization in the military service of the United States and composed of persons drafted from the National Guard under the provisions of this Act shall be filled by the President, as far as practicable, by the appointment of persons similarly taken from said guard, and in the manner prescribed by law for filling similar vacancies occurring in the volunteer forces.² *Sec. 76, id.*

¹*Held*, that the status of retired officers will not be impaired by active service under a National Guard commission. During their service as National Guard officers in the active service of the United States they will receive only the pay of their National Guard offices. (War Dept. Bull. 28, Aug. 18, 1916.)

Under the national defense act of June 3, 1916 (39 Stat. 176), a person who is especially qualified for duty as a veterinarian is eligible for a commission as a veterinary officer in the federalized National Guard, even though he may not be a graduate of a veterinary college. (Sec. 74.) Candidates for the position of assistant veterinarian in the Regular Army, or that of reserve veterinarian, must, however, be graduates of a recognized veterinary college or university. (Sec. 16.) (Dig. Opin. J. A. G., January, 1918.)

²See chapter entitled "Volunteers," paragraph 1389.

1344k. *Discharge of officers on approved findings of efficiency board, etc.*—At any time the moral character, capacity, and general fitness for the service of any National Guard officer may be determined by an efficiency board of three commissioned officers, senior in rank to the officer whose fitness for service shall be under investigation, and if the findings of such board be unfavorable to such officer and be approved by the official authorized to appoint such an officer, he shall be discharged. Commissions of officers of the National Guard may be vacated upon resignation, absence without leave for three months, upon the recommendation of an efficiency board,¹ or pursuant to sentence of a court-martial. *Sec. 77, id.*

1344l. *Transfer of officers to National Guard Reserve on their application or when rendered surplus by disbandment of their organizations.*—Officers of said guard rendered surplus by the disbandment of their organizations shall be placed in the National Guard Reserve. Officers may, upon their own application, be placed in the said reserve.² *Id.*

(See paragraphs 1325o–1325u, ante.)

SUPPORT OF DEPENDENT FAMILIES.

1347a. *Applies to families of members of Organized Militia, National Guard, and Regular Army.*—The sum of \$2,000,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of

¹ An efficiency board convened pursuant to section 77 of the national-defense act completed its action prior to August 5, 1917, recommending the discharge of certain officers of the Illinois National Guard, but no order was issued thereon until after the draft of said officers on August 5, 1917.

Held, That no valid order could be issued thereon, and that said officers may be discharged from service only under section 9 of the selective-draft act. The discharge may be made by the President for any cause which, in his judgment, would promote the public service; or it may be made by the President after determination by a board of officers that the officers in question are unfit. (War Dept. Bull. 75, Dec. 31, 1917.)

² The Secretary of War having approved the opinion of this office that certain officers of the administrative staffs of the several States did not constitute a part of the National Guard as organized under the national defense act, a further opinion was desired on the question whether such officers could be transferred to the National Guard reserve under section 77 of the national defense act of June 3, 1916, which provides that—

“Officers of said guard rendered surplus by the disbandment of their organizations shall be placed in the National Guard reserve.”

Held, that this section has no application to officers appointed for State administrative purposes and who have not been appointed to offices having any place in the organization of the units actually maintained by the respective States.

Held further, that the authority conferred by section 78 of the national defense act for the organization of the National Guard reserve “in each State,” etc., to “consist of such organizations, officers, and enlisted men, as the President may prescribe,” contemplates a reserve to the active organizations maintained in the State, and that it can therefore have no officers other than those of the character provided for the active organizations maintained in the particular State. (War Dept. Bull. 26, May 7, 1917.)

War, and under such rules and regulations as he may prescribe, for the support of, at a cost of not more than \$50 per month, or so much of said amount as the Secretary of War may deem necessary, and not more than such enlisted man has been contributing monthly to the support of his family at the time of his being called or drafted into the service of the United States or during his enlistment period in the Regular Army at the time of such call or draft of the Organized Militia or National Guard, the family of each enlisted man of the Organized Militia or National Guard called or drafted into the service of the United States until his discharge from such service, and the family of each enlisted man of the Regular Army until his discharge from active service therein or until the discharge of the Organized Militia or National Guard from such service if such enlisted man is at that time in active service in the Regular Army, which family during the term of service of such enlisted man has no other income, except the pay of such enlisted man, adequate for the support of said family. *Act of Aug. 29, 1916 (39 Stat. 649.)*

1347b. *Same—Action of Secretary of War to be final in all cases.*—The action of the Secretary of War in all cases provided for in this paragraph shall be final, and no right to prosecute a suit in the Court of Claims or in any other court of the United States against the Government of the United States shall accrue to such enlisted man, or to any member of the family of any such enlisted man, by virtue of the passage of this act. *Id.*

1347c. *Same—Not applicable where soldier marries after certain date; family defined.*—This paragraph shall not apply to any such enlisted man who shall marry after the fifteenth day of July, nineteen hundred and sixteen; and the word "family" shall include only wife, children, and dependent mothers. *Id.*

1347d. *Same—Amendment of provision so as to cover enlistments made before and after call of the President, etc.*—The sum of \$2,000,000, therein appropriated to be expended under the direction of the Secretary of War for the support of the family of each enlisted man of the Organized Militia or National Guard, or of the Regular Army, as therein provided, shall be available to be paid on the basis of and for time subsequent to June eighteenth, nineteen hundred and sixteen, the date of the call by the President, and the time for which such payment shall be made shall correspond with the time of service of the enlisted men, and payment shall be made without reference to the enlisted men having enlisted before or after the call by the President. *Sec. 901, Act of Sept. 8, 1916 (39 Stat. 801), amending Act of Aug. 29, 1916 (39 Stat. 649).*

1347e. *Same—Appropriation for continuation of, under same conditions as original appropriation.*—For the support of dependent families of enlisted men, including the same objects and under the

same limitations specified in the appropriation for this purpose in the Army Appropriation Act for the fiscal year nineteen hundred and seventeen as amended by section nine hundred and one of the Act entitled "An Act to increase the revenue, and for other purposes," approved September eighth, nineteen hundred and sixteen, \$4,250,000. *Act of Dec. 22, 1916 (39 Stat. 859).*

1347f. *Support of dependent families, time limit for filing application for.*—For the support of dependent families of enlisted men, including the same objects and under the same limitations specified in the appropriations for this purpose in the Army appropriation Act for the fiscal year nineteen hundred and seventeen as amended by section nine hundred and one of the Act, entitled "An Act to increase the revenue, and for other purposes," approved September eighth, nineteen hundred and sixteen, \$2,000,000: *Provided*, That the provision in the Act of August twenty-ninth, nineteen hundred and sixteen, as amended by section nine hundred and one of the Act of September eighth, nineteen hundred and sixteen, for the Federal support of families of enlisted men shall, with respect to enlisted men belonging to organizations of the Organized Militia or National Guard which entered the service of the United States under the calls of the President of May ninth, nineteen hundred and sixteen, and June eighteenth, nineteen hundred and sixteen, and enlisted men of the Regular Army who by the provisions of Acts above cited are beneficiaries thereof only during the time the Organized Militia or National Guard continue in the service of the United States under said calls, apply only to applications stated in the form prescribed by the Secretary of War which are received in the office of the Depot Quartermaster, Washington, District of Columbia, on or before June thirtieth, nineteen hundred and seventeen.¹ *Act of Apr. 17, 1917 (40 Stat. 11).*

¹The following questions were submitted for decision:

(a) Are the families of enlisted men belonging to National Guard organizations which were in the service of the United States under the President's call of June 18, 1916, and which were mustered out of said service, entitled to the benefits of the act of August 29, 1916, as amended, while in the service of the United States under the President's call of March 25, 1917?

(b) Are the families of enlisted men belonging to organizations brought into the Federal service under the President's call of June 18, 1916, still entitled to the benefits of the act of August 29, 1916, as amended, where such organizations remain continuously in service under said call pursuant to the orders suspending the original orders for their muster out?

(c) Are the families of enlisted men of the Regular Army entitled to the benefits of the act of August 29, 1916, as amended, so long as there remain in the service of the United States any organization of the National Guard under the call of June 18, 1916, or do the benefits of the statutes extend to include such period as National Guard organizations may be in the service of the United States under the call of March 25, 1917?

Held, that the legislation for the relief of dependent families of soldiers (act of Aug. 29, 1916, as amended by the act of Sept. 8, 1917, 39 Stat., 649, 801) was enacted with reference to enlisted men belonging to National Guard organizations brought into the service under calls made by the President prior to

1349a. *Men enlisted to bring organizations up to minimum entitled to pay from date of enlistment to date of muster in or rejection.*—Nothing in this Act or previous Acts of Congress shall be construed to prohibit the paying of men enlisted by State authorities of any State for militia organization for the purpose of bringing said organization up to the minimum necessary to permit of the muster in the said organization, from the date of such enlistments to the date of muster in or from date of enlistment to date of rejection, after physical examination.¹ *Act of Aug. 29, 1916 (39 Stat. 624).*

1349b. *Transportation to their homes of members of National Guard who have been discharged because of dependent families.*—When members of the National Guard, who have been mustered into the service of the United States, have been discharged under the order of the War Department which provides that members of the National Guard with dependent families may be mustered out, transportation from their position on the Mexican border to their homes may be authorized by the Secretary of War. *Id. 633.*

1351a. *Permanent annual appropriation.*—A sum of money shall hereafter be appropriated annually, to be paid out of any money in the Treasury not otherwise appropriated, for the support of the National Guard, including the expense of providing arms, ordnance stores, quartermaster stores, and camp equipage, and all other military supplies for issue to the National Guard, and such other expenses pertaining to the said guard as are now or may hereafter be authorized by law. *Sec. 67, Act of June 3, 1916 (39 Stat. 199).*

(See paragraphs 1352-1355.)

1351b. *Apportionment among States and Territories.*—The appropriation provided for in this section shall be apportioned among the

such legislation, and to enlisted men of the Regular Army in active service during the continuance of the National Guard service under such calls, and to none others; and that in order that those organizations responding to the call of March 25, 1917, and those retained in service, as specified in that call, may be on an equal footing, so far as family benefits are concerned, it must be held that they are all in the service under the call of March 25, 1917, those organizations which had not been discharged but were retained in the service having ceased to be in the service under the call of June 18, 1916, from and after March 25, 1917. All three questions should, therefore, be answered in the negative.

The present crisis in national affairs has brought on new conditions, and Congress being in session at this time if it desires to continue the payment for the support of the families of enlisted men of National Guard organizations brought into the service or continued in the service under the President's call of March 25, 1917, and of certain enlisted men of the Regular Army, legislation expressive of such desire should be enacted at this time. There will thus be an opportunity to place all on an equal footing. (Comp. Treas., Apr. 9, 1917; War Dept. Bull. 26, May 7, 1917.)

¹*Held*, that in the case of enlisted men recruited for the purpose of bringing a National Guard organization up to the maximum strength, who are mustered in, payment may be made from the date of enlistment to the date of muster in, but that in the case of those similarly enlisted who are rejected, after physical examination, there is no authority for their payment from Federal funds for the time between the date of enlistment and the date of rejection. (Comp. Treas., Sept. 30, 1916. War Dept. Bull. 47, Nov. 16, 1916.)

several States and Territories under just and equitable procedure to be prescribed by the Secretary of War and in direct ratio to the number of enlisted men in active service in the National Guard existing in such States and Territories at the date of apportionment of said appropriation, and to the District of Columbia, under such regulations as the President may prescribe. *Id.*

(See paragraphs 1353-1355.)

1351c. *Same—Allotments available for what purposes.*—The sum so apportioned among the several States, Territories, and the District of Columbia, shall be available under such rules as may be prescribed by the Secretary of War for the actual and necessary expenses incurred by officers and enlisted men of the Regular Army when traveling on duty in connection with the National Guard;¹ for the transportation of supplies furnished to the National Guard for the permanent equipment thereof; for office rent and necessary offices expenses of officers of the Regular Army on duty with the National Guard; for the expenses of the Militia Bureau, including clerical services, now authorized for the Division of Militia Affairs; for expenses of enlisted men of the Regular Army on duty with the National Guard, including quarters, fuel, light, medicines, and medical attendance; and such expenses shall constitute a charge against the whole sum annually appropriated for the support of the National Guard, and shall be paid therefrom and not from the allotment duly apportioned to any particular State, Territory, or the District of Columbia; for the promotion of rifle practice, including the acquisition, construction, maintenance, and equipment of shooting galleries and suitable target ranges; for the hiring of horses and draft animals for the use of mounted troops, batteries, and wagons; for forage for the same; and for such other incidental expenses in connection with lawfully authorized encampments, maneuvers, and field instruction as the Secretary of War may deem necessary; and for such other expenses pertaining to the National Guard as are now or may hereafter be authorized by law. *Id.*

(See paragraphs 1351-1355.)

¹ In the case of an officer of the Ordnance Department directed to make an inspection of Field Artillery material in the hands of the National Guard.

Held, that he was entitled to actual expenses of travel, and not mileage, for travel in the performance of such duty, payable from the \$2,000 appropriation for "inspection of material pertaining to Field Artillery and Signal Corps in the hands of the National Guard" (39 Stat. 647). (War Dept. Bull. 3, Jan. 19, 1917.)

A reserve officer making an inspection of the records and accounts of the National Guard is entitled to mileage, but is not entitled to be reimbursed for actual expenses. Section 67 of the national defense act appropriates funds for the actual and necessary expenses incurred by officers and enlisted men of the Regular Army when traveling on duty in connection with the National Guard, but such funds are not available to pay expenses of reserve officers. (War Dept. Bull. 72, Dec. 24, 1917.)

1351d. *Same—Appointment and duties of property and disbursing officer in connection with.*—The governor of each State and Territory and the commanding general of the National Guard of the District of Columbia shall appoint, designate, or detail, subject to the approval of the Secretary of War, an officer of the National Guard of the State, Territory, or District of Columbia who shall be regarded as property and disbursing officer for the United States. He shall receipt and account for all funds and property belonging to the United States in possession of the National Guard of his State, Territory, or District, and shall make such returns and reports concerning the same as may be required by the Secretary of War. The Secretary of War is authorized, on the requisition of the governor of a State or Territory or the commanding general of the National Guard of the District of Columbia, to pay to the property and disbursing officer thereof so much of its allotment out of the annual appropriation for the support of the National Guard as shall, in the judgment of the Secretary of War, be necessary for the purposes enumerated therein. He shall render, through the War Department, such accounts of Federal funds intrusted to him for disbursement as may be required by the Treasury Department. Before entering upon the performance of his duties as property and disbursing officer he shall be required to give good and sufficient bond to the United States, the amount thereof to be determined by the Secretary of War, for the faithful performance of his duties and for the safe-keeping and proper disposition of the Federal property and funds intrusted to his care. He shall, after having qualified as property and disbursing officer, receive pay for his services at a rate to be fixed by the Secretary of War, and such compensation shall be a charge against the whole sum annually appropriated for the support of the National Guard. *Id.* 209.

The following questions were presented for decision:

(a) Whether a retired officer of the Regular Army, appointed as an officer of the National Guard and detailed as property and disbursing officer, can receive the pay as property and disbursing officer provided for by section 67, act of June 3, 1916, and the National Guard pay provided by section 109, act of June 3, 1916, in addition to his retired pay of the Regular Army.

(b) Whether a retired enlisted man of the Regular Army, appointed as an officer of the National Guard and detailed as property and disbursing officer, can receive the pay as property and disbursing officer provided by section 67 of the act of June 3, 1916, and the National Guard pay provided by section 109 of the act cited, in addition to his pay as an enlisted man, retired, of the Regular Army.

Section 74 of the national-defense act of June 3, 1916, specifying the class from which National Guard officers may be selected, includes retired officers of the Regular Army, but does not include retired enlisted men except as they may become eligible by enlisting in the National Guard.

Held, as to (a), that the effect of the statutory provision for the appointment of retired officers of the Regular Army as officers in the National Guard is to give a retired officer so appointed the pay provided for in sections 67 and 109 of the national-defense act in addition to his retired pay in the Army; and, as to (b), that, inasmuch as the statute does not provide for the entry of re-

1351e. *Same—Expenses of while traveling on official duty.*—When traveling in the performance of his official duties under orders issued by the proper authorities he shall be reimbursed for his actual necessary traveling expenses, the sum to be made a charge against the allotment of the State, Territory, or District of Columbia. *Id.*

1351f. *Same—Annual inspection of property and accounts by an inspector general of the Army.*—The Secretary of War shall cause an inspection of the accounts and records of the property and disbursing officer to be made by an inspector general of the Army at least once each year. *Id.*

1351g. *Secretary of War to make necessary rules and regulations for enforcing foregoing provisions.*—The Secretary of War is empowered to make all rules and regulations necessary to carry into effect the provisions of this section. *Id.*

1351h. *Noncompliance with this Act by any State or Territory debars it from pecuniary benefit, etc.*—Whenever any State shall, within a limit of time to be fixed by the President, have failed or refused to comply with or enforce any requirement of this Act, or any regulation promulgated thereunder and in aid thereof by the President or the Secretary of War, the National Guard of such State shall be debarred, wholly or in part, as the President may direct, from receiving from the United States any pecuniary or other aid, benefit, or privilege authorized or provided by this Act or any other law. *Sec. 116, id. 212.*

tired enlisted men into the National Guard, previous decisions are applicable (20 Comp. Dec., 49, and 23 *Id.*, 444), which are to the effect that the pay of a retired enlisted man of the Army while in the Federal service as a member of the Organized Militia or National Guard should be discontinued; in other words, that there is no prohibition against the commissioning of a retired enlisted man in the National Guard, after his enlistment therein, and then appointing him property and disbursing officer and paying him therefor from the amount appropriated from Federal funds, but during such time he will not be entitled to continue to draw his retired pay as an enlisted man of the Army. Accordingly, question (a) answered in the affirmative and question (b) in the negative. (Comp. Treas., May 21, 1917; War Dept. Bull. '34, June 8, 1917.)

A National Guard organization, which had been previously called into Federal service, was mustered out of the Federal service on March 26, 1917, and used for guard duty in State service for some weeks thereafter. Certain engineer, ordnance, and quartermaster supplies belonging to the Federal Government, which had been issued to this organization were retained after its muster-out of Federal service, and were continued in use by it as a National Guard organization, while engaged in such guard duty. The transfer of accountability for the property from the accountable officer in Federal service to the property and disbursing officer of the United States for the State in question, was not made at or immediately subsequent to the muster-out as directed by the War Department. *Held*, that the National Guard officer who, pursuant to orders from the State authorities, thereafter inventoried and transferred such property to the property and disbursing officer, was not entitled to pay for his services from Federal funds, since such work was not done for the Federal Government nor at the instance of an officer of the Federal Government who had authority to direct it to be done. Any claim for pay which he may have will be against the State. (Dig. Opin. J. A. G., February, 1918.)

1354a. *Purchase from War Department of articles issued by its supply departments to Army.*—Whenever it shall be shown to the satisfaction of the Secretary of War that the National Guard of any State, Territory, or the District of Columbia, is properly organized, armed, and equipped for field service, funds allotted to that State, Territory, or District for the support of its National Guard may be used for the purchase, from the War Department, of any article issued by any of the supply departments of the Army. *Sec. 83, id. 204.*

(For the provisions of this section preceding this paragraph see paragraphs 1358a, and 1358b.)

1354b. *Same—Purchase of stores, supplies, material of war, and military publications.*—Any State, Territory, or the District of Columbia may, with the approval of the Secretary of War, purchase for cash from the War Department for the use of the National Guard, including the officers thereof, any stores, supplies, material of war, and military publications furnished to the Army, in addition to those issued under the provisions of this Act, at the price at which they shall be listed to the Army, with cost of transportation added. The funds received from such sale shall be credited to the appropriation to which they shall belong, shall not be covered into the Treasury, and shall be available until expended to replace therewith the supplies sold to the States in the manner herein authorized. *Sec. 86, id.*

(For the ensuing provision of this section see paragraph 1366a.)

1355a. *Secretary of War to submit annual estimates of amount necessary for.*—The Secretary of War shall cause to be estimated annually the amount necessary for carrying out the provisions of so much of this Act as relates to the militia, and no money shall be expended under said provisions except as shall from time to time be appropriated for carrying them out. *Sec. 119, id. 213.*

1355b. *Appropriation for arms, equipment, stores, supplies, etc., and such other expenses as may be authorized by law.*—For providing arms, ordnance stores, quartermaster stores, camp equipage, and all other military supplies for issue to the National Guard; for the promotion of rifle practice, including the acquisition, construction, maintenance and equipment of shooting galleries and suitable target ranges; for the hire of horses and draft animals for the use of mounted troops, batteries, and wagons; for forage for the same; and for such other incidental expenses in connection with lawfully authorized encampments, maneuvers, and field instruction as the Secretary of War may deem necessary; and for such other expenses pertaining to the National Guard as are now or may hereafter be authorized by law, \$1,000,000. *Act of Aug. 29, 1916 (39 Stat. 646).*

1355c. *Appropriation for arms, uniform, equipment, etc., for National Guard.*—To procure by purchase or manufacture and issue from time to time to the National Guard upon requisition of the governors of the several States and Territories, or the commanding general, National Guard of the District of Columbia, such number of United States service arms with all accessories, Field Artillery and Coast Artillery material, engineer, signal, and sanitary material, accouterments, field uniforms, clothing, equipage, publications, and military stores of all kinds, including public animals, as are necessary to arm, uniform, and equip for field service the National Guard in the several States, Territories, and the District of Columbia.¹ *Id.* 647.

1355d. *Same—Available for material and equipment for instruction of members of National Guard at Aviation School.*—Of the sum herein appropriated, \$76,000, or so much thereof as may be required, may, in the discretion of the Secretary of War, be made available for the purchase and maintenance of material and equipment necessary for the proper instruction in military aviation of such officers and enlisted men of the National Guard as may be authorized by the War Department to attend the United States Aviation School. *Id.*

1355e. *All money appropriated for arming, equipping, and training the National Guard to constitute one fund.*—All the money hereinbefore appropriated for arming, equipping, and training the National Guard shall be disbursed and accounted for as such, and for that purpose shall constitute one fund. *Id.*

1355f. *Unexpended balances appropriated and allotted under Sec. 1661, R. S.*—Any funds appropriated under section sixteen hundred and sixty-one, Revised Statutes, for the fiscal year nineteen hundred and sixteen or former years and remaining on August twenty-ninth, nineteen hundred and sixteen, to the credit of any State, the Territory of Hawaii, or the District of Columbia, shall remain available only to the end of the fiscal year nineteen hundred and eighteen for expenditures authorized by law. *Act of May 12, 1917 (40 Stat. 66).*

1356a. *Annual inspection by an inspector general as to property, organization, personnel, equipment, etc.*—The Secretary of War shall cause an inspection to be made at least once each year by inspectors general and if necessary by other officers of the Regular Army detailed by him for that purpose to determine whether the amount and condition of the property in the hands of the National Guard is satisfactory; whether the National Guard is organized as hereinbefore prescribed; whether the officers and enlisted men possess the physical and other qualifications prescribed; whether the organi-

¹The total appropriation authorized in paragraph 1355c is \$2,000,000.

zation and the officers and enlisted men thereof are sufficiently armed, uniformed, equipped, and being trained and instructed for active duty in the field or coast defense, and whether the records are being kept in accordance with the requirements of this Act. *Sec. 93, Act of June 3, 1916 (39 Stat. 206).*

1356b. *Same—Report to serve as basis for issue and retention of military property and for determining what organizations, etc., constitute part of National Guard.*—The reports of such inspections shall serve as the basis for deciding as to the issue to and retention by the National Guard of the military property provided for by this Act, and for determining what organizations and individuals shall be considered as constituting parts of the National Guard within the meaning of this Act. *Id.*

1357a. *Inspectors of small-arms practice, National Guard, etc., in Federal service.*—So much of this appropriation as may be necessary for the purpose shall be available to pay inspectors and assistant inspectors of small-arms practice of the Organized Militia and National Guard who responded to the call of the President of June eighteenth, nineteen hundred and sixteen, the pay and allowances appropriate to their grade from the dates they would have been entitled to pay had their services been authorized to the dates on which they were mustered out or their services were otherwise terminated; and the proper accounting officers of the Treasury be, and they are hereby, directed to allow credit for any such payments which have heretofore been made to such officers from the appropriation from which made. *Act of May 12, 1917 (40 Stat. 45).*

1358a. *Cost of ordnance issued to militia to be credited to appropriation.*—Hereafter the cost to the Ordnance Department of all ordnance and ordnance stores issued to the States, Territories, and District of Columbia, under the Act of February twelfth, eighteen hundred and eighty-seven,¹ shall be credited to the appropriation for "manufacture of arms at national armories," and used to procure like ordnance stores, and that said appropriation shall be available until exhausted, not exceeding two years.—*Act of June 13, 1890 (26 Stat. 156).*

1358b. *Supply of arms and equipment.*—The Secretary of War is hereby authorized to procure, under such regulations as the President may prescribe, by purchase or manufacture, within the limits of available appropriations made by Congress, and to issue from time to time to the National Guard, upon requisition of the governors of the Several States and Territories or the commanding general of the National Guard of the District of Columbia, such number of

¹The act of February 12, 1887 (24 Stat. 401), was an act to amend section 1161 of the Revised Statutes, making an annual appropriation to provide arms and equipment for the militia.

United States service arms, with all accessories, Field Artillery matériel, Engineer, Coast Artillery, signal and sanitary matériel, accouterments, field uniforms, clothing, equipage, publications, and military stores of all kinds, including public animals, as are necessary to arm, uniform, and equip for field service the National Guard in the several States, Territories, and the District of Columbia. *Sec. 83, Act of June 3, 1916 (39 Stat. 203).*

1358c. *Same—Care and protection of.*—As a condition precedent to the issue of any property as provided for by this Act, the State, Territory, or the District of Columbia desiring such issue shall make adequate provision, to the satisfaction of the Secretary of War, for the protection and care of such property. *Id. 204.*

(For ensuing provision of this section see paragraph 1354a, ante.)

1359a. *New property issued to replace obsolete or condemned prior issues.*—Each State, Territory, and the District of Columbia shall, on the receipt of new property issued to replace obsolete or condemned prior issues, turn in to the War Department or otherwise dispose of, in accordance with the directions of the Secretary of War, all property so replaced or condemned, and shall not receive any money credit therefor. *Sec. 85, id.*

1359b. *Disposition and replacement of damaged or destroyed property.*—All military property issued to the National Guard as herein provided shall remain the property of the United States. Whenever any such property issued to the National Guard in any State or Territory or the District of Columbia shall have been lost, damaged, or destroyed, or become unserviceable or unsuitable by use in service or from any other cause, it shall be examined by a disinterested surveying officer of the Regular Army or the National Guard, detailed by the Secretary of War, and the report of such surveying officer shall be forwarded to the Secretary of War, or to such officer as he shall designate to receive such reports; and if it shall appear to the Secretary of War from the record of survey that the property was lost, damaged, or destroyed through unavoidable causes, he is hereby authorized to relieve the State or Territory or the District of Columbia from further accountability therefor. If it shall appear that the loss, damage, or destruction of property was due to carelessness or neglect, or that its loss, damage, or destruction could have been avoided by the exercise of reasonable care, the money value of such property shall be charged to the accountable State, Territory, or District of Columbia, to be paid from State, Territory, or District funds, or any funds other than Federal. If the articles so surveyed are found to be unserviceable or unsuitable, the Secretary of War¹ shall

¹ In order to facilitate action on the property account of militia authorities of Hawaii, it was proposed to delegate to the commanding general, Hawaiian

direct what disposition, by sale or otherwise, shall be made of them; and if sold, the proceeds of such sale, as well as stoppages against officers and enlisted men, and the net proceeds of collections made from any person or from any State, Territory, or District to reimburse the Government for the loss, damage, or destruction of any property, shall be deposited in the Treasury of the United States as a credit to said State, Territory, or the District of Columbia, accountable for said property, and as a part of and in addition to that portion of its allotment set aside for the purchase of similar supplies, stores, or material of war. *See 87, id.*

1359c. *Same—Penalty on failure of State or Territory to pay for lost or damaged property charged against it.*—If any State, Territory, or the District of Columbia shall neglect or refuse to pay, or to cause to be paid, the money equivalent of any loss, damage, or destruction of property charged against such State, Territory, or the District of Columbia by the Secretary of War after survey by a disinterested officer appointed as hereinbefore provided, the Secretary of War is hereby authorized to debar such State, Territory, or the District of Columbia from further participation in any and all appropriations for the National Guard until such payments shall have been made. *Id.* 205.

1359d. *Same—Disposition of proceeds of sales of condemned stores not charged to State allotments.*—The net proceeds of the sale of condemned stores issued to the National Guard and not charged to State allotments shall be covered into the Treasury of the United States, as shall also stoppages against officers and enlisted men, and the net proceeds of collections made from any person to reimburse the Government for the loss, damage, or destruction of said property not charged against the State allotment issued for the use of the National Guard. *Sec. 88, id.*

1359e. *Removal of accountability for issued property lost or destroyed prior to December 31, 1911.*—The Secretary of War is hereby authorized to relieve any State, Territory, or the District of Columbia from further accountability for all United States property issued

Department, authority to act for the Secretary of War on reports of survey for the Territory of Hawaii. Section 87, act of June 3, 1916, provides that—"if it shall appear to the Secretary of War from the record of survey that the property was lost, damaged, or destroyed through unavoidable causes, he is hereby authorized to relieve the State or Territory or the District of Columbia from further accountability therefor," but that if damaged through negligence the money value of the property is to be charged to the State, etc., and "to be paid from State, Territory, or District funds, or any funds other than Federal." Upon the question whether the proposed authority could be delegated,

Held, that the statute confers upon the Secretary of War a discretionary or judicial authority, not a ministerial one, and that within well-settled rules of law such authority can not be delegated as proposed; and that the action should be limited, therefore, to authorizing the examination of such reports by the department commander, the same to be forwarded to the War Department with his recommendation for final action by the Secretary of War. (War Dept. Bull. 34, June 8, 1917.)

thereto for the use of the Organized Militia thereof which the records of the War Department show to have been lost or destroyed prior to December thirty-first, nineteen hundred and eleven. *Act of Aug. 29, 1916 (39 Stat. 646)*.

1361a. Arms, equipment, and uniform to be same as for Regular Army.—The National Guard of the United States shall, as far as practicable, be uniformed, armed, and equipped with the same type of uniforms, arms, and equipments as are or shall be provided for the Regular Army.¹ *Sec. 82, Act of June 3, 1916 (39 Stat. 203)*.

1361b. Supplying and exchanging Infantry equipment, National Guard.—For the purpose of manufacturing, procuring, exchanging, and issuing model of nineteen hundred and ten equipment to the Infantry and other dismounted organizations of the National Guard of the several States, Territories, and the District of Columbia: *Provided*, That whenever in the opinion of the Secretary of War a sufficient number of Infantry equipment, model of nineteen hundred and ten, shall have been procured and shall be available for the purpose the Secretary of War is hereby authorized to issue on the requisition of the governors of the several States and Territories, or the commanding general of the District of Columbia National Guard, such numbers thereof as are required for equipping the National Guard in said States, Territories, and the District of Columbia, without charging the cost or value thereof or any expenses connected therewith against any allotments to said States, Territories, or the District of Columbia. *Act of Aug. 29, 1916 (39 Stat. 647)*.

1361c. Same—*To remain the property of United States and be annually accounted for.*—The equipment thus issued shall be receipted for and shall remain the property of the United States and be annually accounted for by the governors of the several States, Territories, and the commanding general of the District of Columbia National Guard as now required by law, and that each State, Territory, and the District of Columbia shall, upon receipt of new equipment, turn in to the Ordnance Department of the United States Army, without receiving any money credit therefor and without expense for transportation of Infantry equipment now in its possession, the property of the United States, and replaced by articles of the model of nineteen hundred and ten equipment, \$400,000. *Id. 648*.

1361d. Supplying and exchanging infantry equipment, National Guard.—Whenever in the opinion of the Secretary of War a sufficient number of Infantry equipment, model of nineteen hundred and ten, shall have been procured and shall be available for the purpose the Secretary of War is hereby authorized to issue on the requisition

¹ Home guard may not, without authority therefor from the Secretary of War, wear any uniform which bears a prohibited similarity to the uniform of the United States, but the Secretary of War has power to grant such authority on condition that the uniform bear some mark or insignia distinguishing it from the uniform prescribed for the United States Army. (War Dept. Bull. 67, Sept. 30, 1917.)

of the governors of the several States and Territories or the commanding general of the District of Columbia National Guard, such numbers thereof as are required for equipping the National Guard in said States, Territories, and the District of Columbia, without charging the cost or value thereof or any expenses connected therewith, against any allotment to said States, Territories, or the District of Columbia, provided that the equipment thus issued shall be receipted for and shall remain the property of the United States and be annually accounted for in the manner prescribed by the Act of June third, nineteen hundred and sixteen, and that each State, Territory, and the District of Columbia shall, upon receipt of new equipment, turn in to the Ordnance Department of the United States Army, without receiving any money credit therefor and without expense for transportation of Infantry equipment now in its possession, the property of the United States, and replaced by articles of the model of nineteen hundred and ten equipment. *Act of May 12, 1917 (40 Stat. 68).*

1361e. *Issue of arms and ammunition to States, Territories, and District of Columbia for equipment of home guards.*—The Secretary of War during this existing emergency be, and he is hereby, authorized, in his discretion, to issue from time to time to the several States and Territories and the District of Columbia for the equipment of such home guards¹ having the character of State police or constabu-

¹ During the present war a State may lawfully raise and maintain troops which resemble in all or almost all respects the well-known militia of the several States as it hitherto existed for service within its own boundaries exclusively. These forces are capable of being called by the Nation into the service of the United States for the usual constitutional purposes, and the members as individuals can be drafted by the Federal Government, but are not subject to draft under second paragraph of section 1 of the national-defense act as members of the National Guard. (War Dept. Bull. 67, Nov. 30, 1917.)

Home guards may not, without authority therefor from the Secretary of War, wear any uniform which bears a prohibited similarity to the uniform of the United States, but the Secretary of War has power to grant such authority on condition that the uniform bear some mark or insignia distinguishing it from the uniform prescribed for the United States Army. (*Id.*)

Settlers upon public lands who enlist in any of the home-guard organizations of the various States are not entitled to have their services therein counted as equivalent to residence for the purpose of completing their titles to the said lands. The act of July 23, 1917, grants such a right to men who are actually engaged in the military service of the United States and to those who are members of organizations for offense or defense authorized by Congress in time of war. The home-guard organizations are not authorized by Congress but by the several States, and are in the nature of State police or constabulary. The national-defense act of June 3, 1916, and act of June 14, 1917, merely recognize the authority of the various States to establish and maintain such organizations for their own purposes. (Dig. Opin. J. A. G., January, 1918.)

Where a State has failed to enact appropriate legislation to obtain the benefits of the Federal appropriations for its National Guard provided for in Revised Statutes, section 1661 as amended (34 Stat. 449), as superseded by the national-defense act of June 3, 1916 (39 Stat. 166), and where the National Guard of such State has been drafted into the Federal service, the right of the governor of such State to raise and equip a temporary military force to be known as a State police or constabulary is recognized by section 61 of said act. By the act of June 14, during the present emergency, rifles, ammunition, etc., for its equipment. (*Id.*, February, 1918.)

lary as may be organized by the several States and Territories and District of Columbia, and such other home guards as may be organized under the direction of the governors of the several States and Territories and the Commissioners of the District of Columbia or other State troops or militia, such rifles and ammunition therefor, cartridge belts, haversacks, canteens, in limited amounts as available supplies will permit, provided that the property so issued shall remain the property of the United States and shall be receipted for by the governors of the several States and Territories and Commissioners of the District of Columbia and accounted for by them under such regulations and upon furnishing such bonds or security as the Secretary of War may prescribe, and that any property so issued shall be returned to the United States on demand when no longer needed for the purposes for which issued, or if, in the judgment of the Secretary of War, an exigency requires the use of the property for Federal purposes. *Act of June 14, 1917 (40 Stat. 181).*

1361f. *Same—Use of rifle ranges extended to.*—All home guards, State troops and militia receiving arms and equipments as herein provided shall have the use, in the discretion of the Secretary of War and under such regulations as he may prescribe, of rifle ranges owned or controlled by the United States of America. *Id.*

1364a. *Field Artillery, Organized Militia, horses for, care of same, etc.*—For the purpose of this section the total number of horses shall not exceed thirty-two to any one battery or four to each battalion or regimental headquarters, and that such horses shall be used exclusively for Field Artillery purposes: *And provided further,* That the men to be so compensated, not to exceed five for each battery, shall be duly enlisted therein and shall be detailed by the battery commander under such regulations as the Secretary of War may prescribe, and shall be paid by the United States disbursing officer in each State provided for in the Act of January twenty-first, nineteen hundred and three,¹ entitled, "An Act to promote the efficiency of the Militia, and for other purposes," as amended. *Act of Mar. 4, 1915 (38 Stat. 1071).*

1364b. *Same—Horses to conform to standards for Regular Army and remain property of United States, etc.*—The funds appropriated by section sixteen hundred and sixty-one, Revised Statutes, and by the Act entitled "An Act to promote the efficiency of the militia, and for other purposes," approved May twenty-seventh, nineteen hundred and eight,¹ as amended, shall be available for the purchase under such regulations as the Secretary of War may prescribe,

¹ See paragraph 1356, ante, or 32 Stat. 777.

of horses conforming to the Regular Army standards, said horses to remain the property of the United States and to be for the sole continuous use of the Field Artillery of the Organized Militia. *Id.*

1364c. *Same*—*Secretary of War may issue condemned Army horses to.*—The Secretary of War may, under the provisions of this Act and such regulations as he may prescribe, issue to the Field Artillery organizations hereinbefore mentioned and without cost to the State condemned Army horses which are no longer fit for service but may still be suitable for purposes of instruction, the same to be sold as now provided by law when the latter purpose has been served. *Id.* 1072.

(See paragraphs 1364i, 1364j, post.)

1364d. *Field Artillery material for Organized Militia, accounting for.*—For the purpose of procuring Field Artillery material for the Organized Militia of the several States, Territories, and the District of Columbia, without cost to the said States, Territories, or the District of Columbia, but to remain the property of the United States and to be accounted for in the manner now prescribed by law, the Secretary of War is hereby authorized, under such regulations as he may prescribe, on the requisitions of the governors of the several States and Territories, or the commanding general of the Militia of the District of Columbia, to issue said Artillery material to the Organized Militia; and the sum of \$1,000,000 is hereby appropriated and made immediately available and to remain available until the end of the fiscal year nineteen hundred and fifteen for the procurement and issue of the articles constituting the same. *Act of Mar. 2, 1913 (37 Stat. 721).*

1364e. *Same.*—For the purpose of manufacturing Field Artillery material for the Organized Militia of the several States, Territories, and the District of Columbia, without cost to the said States, Territories, or the District of Columbia, but to remain the property of the United States and to be accounted for in the manner now prescribed by law, the Secretary of War is hereby authorized, under such regulations as he may prescribe, on the requisitions of the governors of the several States and Territories or the commanding general of the Militia of the District of Columbia, to issue said Artillery material to the Organized Militia; and the sum of \$2,090,000 is hereby appropriated and made immediately available and to remain available until the end of the fiscal year nineteen hundred and seventeen, for the manufacture and issue of the articles constituting the same.

* See paragraph 1354, ante.

Provided, That not more than \$170,000 of this appropriation may be used for the purchase of Field Artillery material. *Act of Mar. 4, 1915 (38 Stat. 1083)*.

1364f. *Field artillery material for the National Guard.*—For the purpose of manufacturing field artillery material for the National Guard of the several States, Territories, and the District of Columbia, but to remain the property of the United States and to be accounted for in the manner now prescribed by law, the Secretary of War is hereby authorized, under such regulations as he may prescribe, on the requisitions of the governors of the several States and Territories or the commanding general of the National Guard of the District of Columbia, to issue said artillery material to the National Guard; and the sum of \$10,000,000 is hereby appropriated and made immediately available and to remain available until the end of the fiscal year nineteen hundred and eighteen, for the manufacture and issue of the articles constituting the same: *Provided*, That not more than \$5,000,000 of this appropriation may be used for the purchase of field artillery material. *Act of Aug. 29, 1916 (39 Stat. 644)*.

1364g. *Field artillery ammunition for the Organized Militia.*—For the purpose of manufacturing reserve ammunition for Field Artillery for the Organized Militia for the several States, Territories, and the District of Columbia, the funds to be immediately available and to remain available until the end of the fiscal year ending June thirtieth, nineteen hundred and seventeen, \$2,900,000.

Provided, That not more than \$100,000 of this appropriation may be used in the purchase of field artillery reserve ammunitions. *Act of Mar. 4, 1915 (38 Stat. 1083)*.

1364h. *Ammunition for Field Artillery for the National Guard.*—For the purpose of manufacturing reserve ammunition for Field Artillery for the National Guard of the several States, Territories, and the District of Columbia, the funds to be immediately available, and to remain available until the end of the fiscal year ending June thirtieth, nineteen hundred and eighteen, \$10,000,000.

Provided, That not more than \$5,000,000 of this appropriation may be used in the purchase of field artillery reserve ammunition. *Act of Aug. 29, 1916 (39 Stat. 644)*.

1364i. *Funds allotted available for purchase of horses for Field Artillery and Cavalry.*—Funds allotted by the Secretary of War for the support of the National Guard shall be available for the purchase, under such regulations as the Secretary of War may prescribe, of horses conforming to the Regular Army standards for the use of Field Artillery and Cavalry of the National Guard, said horses to remain the property of the United States and to be used solely for military purposes. *Sec. 89, Act of June 3, 1916 (39 Stat. 205)*.

1364j. *Same—Number to be issued to battery or troop, or issuance of condemned Army Horses in lieu of purchase.*—Horses so purchased may be issued not to exceed thirty-two to any one battery or troop, under such regulations as the Secretary of War may prescribe, and the Secretary of War is further authorized to issue, in lieu of purchase, for the use of such organizations, condemned Army horses which are no longer fit for service, but which may be suitable for the purposes of instruction, such horses to be sold as now provided by law when said purposes shall have been served. *Id.*

(See paragraphs 1364a–1364c, ante.)

1364k. *Same—Forage, bedding, shoeing, and care of, etc.*—Funds allotted by the Secretary of War for the support of the National Guard shall be available for the purchase and issue of forage, bedding, shoeing, and veterinary services, and supplies for the Government horses issued to any battery or troop, and for the compensation of competent help for the care of the material, animals, and equipment thereof, under such regulations as the Secretary of War may prescribe. *Sec. 90, id.*

1364l. *Same—Not to exceed five enlisted men for each battery or troop to be detailed for care of.*—The men to be compensated, not to exceed five for each battery or troop, shall be duly enlisted therein and shall be detailed by the battery or troop commander, under such regulations as the Secretary of War may prescribe, and shall be paid by the United States disbursing officer in each State, Territory, and the District of Columbia. *Id.*

1364m. *Horses for Field Artillery, Cavalry, and other mounted units of National Guard.*—To provide for the purchase, under such regulations as the Secretary of War may prescribe, of horses conforming to the Regular Army standards for the use of Field Artillery, Cavalry, signal companies, engineer companies, ambulance companies, and other mounted units of the National Guard, said horses to remain the property of the United States and to be used solely for military purposes. Horses so purchased may be issued not to exceed thirty-two to any one battery, troop, or company, or four to a battalion or regimental headquarters, under such regulations as the Secretary of War may prescribe. *Act of Aug. 29, 1916 (39 Stat. 645).*

1364n. *Compensation for care of material, animals, and equipment.*—To provide for the compensation of competent help for the care of matériel, animals, and equipment thereof, under such regulations as the Secretary of War may prescribe: *Provided*, That the men to be compensated, not to exceed five for each battery, troop, or company, shall be duly enlisted therein and shall be detailed by the battery, troop, or company commander under such regulations as the Secretary of War may prescribe, and shall be paid by the

United States disbursing officer in each State, Territory, and the District of Columbia. *Id.*

1364o. *Transfer of horses and pack mules to National Guard organizations.*—The Secretary of War is hereby authorized to transfer to those organizations of the National Guard entitled thereto such number of horses and pack mules purchased by the Quartermaster Corps of the Army under the provisions of the Act of July first, nineteen hundred and sixteen,¹ not required for the proper equipment of organizations of the Regular Army, that can be issued to National Guard organizations under the regulations prescribed by the Secretary of War, all expenses incident to such transfer to be met from appropriations made for and on behalf of the National Guard; pack mules so transferred may be issued not to exceed six to any one radio company, machine-gun troop or company, or four to any one ambulance company, under such regulations as the Secretary of War may prescribe. *Act of May 12, 1917 (40 Stat. 65).*

1365a. *Supplying new types of small arms or field guns.*—Under such regulations as the President may prescribe, whenever a new type of equipment, small arm, or field gun shall have been issued to the National Guard of the several States, Territories, and the District of Columbia, such equipment, small arms, and field guns, including all accessories, shall be furnished without charging the cost or value thereof or any expense connected therewith against the appropriations provided for the support of the National Guard. *Sec. 84, Act of June 3, 1916 (39 Stat. 204).*

1366a. *Stores, supplies, and matériel of war purchased by States and Territories may, in time of war, be requisitioned by United States.*—Stores, supplies, and matériel of war so purchased by a State, Territory, or the District of Columbia may, in time of actual or threatened war, be requisitioned by the United States for use in the military service thereof, and when so requisitioned by the United States and delivered credit for the ultimate return of such property in kind shall be allowed to such State, Territory, or the District of Columbia. *Sec. 86, id.*

(For the preceding provision of this section see paragraph 1354b.)

1367a. *Militia Coast Artillery, equipment of armories.*—*Equipment of armories.*—Equipment of Coast Artillery, armories, Organized Militia.—Dummy guns and mortars, mounts for dummy guns and mortars, dummy ammunition, loading appliances, range and position finding equipment, aiming and laying devices, subcaliber tubes and mountings therefor, labor and material necessary to install dummy guns and mortars, and to provide appliances and devices for

¹ Urgent deficiencies appropriations for the Military and Naval Establishments (39 Stat. 337).

instructional purposes in armory buildings provided by States for Coast Artillery companies of the Organized Militia, to be immediately available and to remain available until expended, * * *. *Act of Apr. 27, 1914 (38 Stat. 360).*

1372a. District of Columbia, lease of armory, etc., for.—The commanding general of the Militia of the District of Columbia is authorized to enter into a contract or contracts for the lease of an armory, stable, drill shed, and warehouse for Cavalry, Field Artillery, Signal Corps, and Hospital Corps troops in one building, or separately, for a period not to exceed five years, renewable at the option of the said commanding general for an additional period of not exceeding five years, at an annual rental not to exceed \$10,000. *Act of Mar. 3, 1917 (39 Stat. 1040).*

CHAPTER XXXII.

VOLUNTEERS.

	Par.		Par.
Volunteer divisions of Infantry, not to exceed four, may be raised, organized, and equipped; officers for-----	1383a	Discharge to be of date of muster out of organization-----	1383f
Same—Organization shall be same as for Regular Army--	1383b	Certificates of nonindebtedness on discharge of officers accountable for public property--	1383g
Same—Age limit for enlistment in-----	1383c	Same—Affidavit of officers not accountable sufficient-----	1383h
Same—Division smallest unit which will be accepted-----	1383d	Same—Mustering officers authorized to administer oaths--	1383i
Extra pay on muster out in lieu of furlough, etc-----	1383e	Extra pay on muster out, payable to legal representatives--	1383j
		Pay and allowances of-----	1394a

VOLUNTEERS.

1383a. *Volunteer divisions of infantry, not to exceed four, may be raised, organized and equipped; officers for.*—The President is further authorized to raise and maintain by voluntary enlistment, to organize, and equip, not to exceed four infantry divisions, the officers of which shall be selected in the manner provided by paragraph three¹ of section one of this Act. *Par. 7, sec. 1, Act of May 18, 1917 (40 Stat. 77).*

(For paragraph 6, section 1, see paragraph 1636, post.)

1383b. *Same—Organization shall be same as for Regular Army.*—The organization of said force shall be the same as that of the corresponding organization of the Regular Army. *Id.*

1383c. *Same—Age limit for enlistment in.*—There shall be no enlistments in said force of men under twenty-five years of age at time of enlisting. *Id.*

1383d. *Same—Division smallest unit which will be accepted.*—No such volunteer force shall be accepted in any unit smaller than a division. *Id.*

1383e. *Extra pay on muster out in lieu of furlough, etc.*—In lieu of granting leaves of absence and furloughs to officers and enlisted men belonging to companies and regiments of United States Volunteers prior to muster out of the service, all officers and enlisted men belonging to volunteer organizations hereafter mustered out of the service who have served honestly and faithfully beyond the limits of the United States shall be paid two months' extra pay on muster out and discharge from the service, and all officers and enlisted men

¹ See paragraph 1630, post, or 40 Stat. 76.

belonging to organizations hereafter mustered out of the service who have served honestly and faithfully within the limits of the United States shall be paid one month's extra pay on muster out and discharge from the service, from any money in the Treasury not otherwise appropriated. *Sec. 1, Act of Jan. 12, 1899 (30 Stat. 784).*

1383f. *Discharge to be of date of muster out of organization.*—The discharge of all officers and enlisted men from the volunteer service of the United States shall, as far as practicable, take effect on the date of the muster out of the organization to which they belong, and that regiments and other independent organizations shall be mustered out at camps within the limits of the United States or at the rendezvous of the State, regiment, or independent organization. *Id.*

1383g. *Certificates of nonindebtedness on discharge of officers accountable for public property.*—Officers who at any time were accountable or responsible for public property shall be required, before final payment is made to them on discharge from the service, to obtain certificates of nonindebtedness to the United States from only such of the bureaus of the War Department to which the property for which they were accountable or responsible pertains, and the certificate from the Chief of the Division of Bookkeeping and Warrants, Treasury Department, and such certificates, accompanied by the affidavits of officers, of nonaccountability or nonresponsibility to other bureaus of the War Department, certified to by the commanding officer of the regiment or independent organization, shall warrant their final payment. *Sec. 2, id.*

1383h. *Same—Affidavit of officers not accountable sufficient.*—Officers who have not been responsible at any time for public property shall be required to make affidavit of that fact, certified to by their commanding officers, which shall be accepted as sufficient evidence to warrant their final payment on their discharge from the service. *Id.*

1383i. *Same—Mustering officers authorized to administer oaths.*—Mustering officers are empowered to administer oaths in all matters pertaining to the muster out of volunteers. *Id.*

1383j. *Extra pay on muster out, payable to legal representatives.*—The Act of January twelfth, eighteen hundred and ninety-nine, be, and it is hereby amended so as to authorize the payment to the legal heirs or representatives of the officers and enlisted men who died or were killed or who may die in the service, the extra pay provided for in that Act for officers and enlisted men who have been or are to be mustered out. *Act of Mar. 3, 1899 (30 Stat. 1074).*

1394a. *Pay and allowances of.*—In all matters relating to the pay and allowances of officers and soldiers of the Army of the United States, the same rules and regulations shall apply to the Regular Army and to volunteer forces mustered into the service of the United States for a limited period. *Sec. 1292, R. S.*

CHAPTER XXXIII.

INDIANS—INDIAN AGENTS—INDIAN COUNTRY.

Prohibition of permits to Indians to go into Texas repealed----- Par. 1413a.

1413a. *Prohibition of permits to Indians to go into Texas repealed.*—So much of section four of the Act of May eleventh, eighteen hundred and eighty (Twenty-first Statutes at Large, page one hundred and thirty-two), as prohibits granting permission in writing or otherwise to any Indian or Indians on any Indian reservation to go into the State of Texas, under any pretext whatever, be, and the same is hereby, repealed. *Act of May 18, 1916 (39 Stat. 128).*

CHAPTER XXXIV.

THE EMPLOYMENT OF MILITARY FORCE.

	Par.		Par.
Declaration of existence of war between the Imperial German Government and the Government of the United States_	1415a	"To trade." defined_	1420i
Vessels within jurisdiction of United States belonging to its enemies to be taken over_	1415b	Act not to be construed as validating act, etc., constituting trade with, etc., enemy since beginning of war and prior to passage of act otherwise void_	1420j
Same—Appointment of board of survey to ascertain value of such vessels_	1415c	Conveyances, etc., in violation of section 3 without license not to confer right or remedy in respect thereof; assignee, indorsee, etc., of debt, note, etc., by, from, etc., of enemy, etc., not to have right or remedy, etc_	1420k
Treason_	1415d-1415k	Payment of obligations assigned to person not an enemy, etc., prior to beginning of war_	1420l
Treason defined_	1415d	Payments by enemy, etc., to person in United States not enemy made prior to beginning of war_	1420m
Same—Punishment for_	1415e	Same—License therefor_	1420n
Misprison of treason defined; punishment of_	1415f	Suits or actions in courts in United States by enemy or ally or enemy prior to end of war not authorized by act_	1420o
Inciting, etc., rebellion or insurrection; punishment for_	1415g	Same—Exceptions as to enemy licensed to do business under act_	1420p
Criminal correspondence with foreign Governments; punishment for; redress of private injuries_	1415h	Right of enemy, etc., to defend by counsel_	1420q
Seditious conspiracy; punishment for_	1415i	Notice from President that any person is enemy, etc., prima facie defense in suit or action_	1420r
Recruiting for service against the United States; punishment for_	1415j	Same—Notice from President that any person is enemy, etc., prima facie evidence in prosecution under section 16 of act_	1420s
Enlisting to serve against the United States; punishment for_	1415k		
Trading with the enemy_	1420a-1439d		
Definition of act_	1420a		
"Enemy" defined_	1420b		
"Ally of enemy" defined_	1420c		
"Person" defined_	1420d		
"United States" defined_	1420e		
"Beginning of the war" defined_	1420f		
"End of the war" defined_	1420g		
"Bank or banks" defined_	1420h		

	Par.		Par.
Alien property custodian_	1424a-1424jj	Suspension of running of statutes of limitations relating to rights or remedies on contracts, etc., made prior to war; contracts included_	1424r
Appointment, salary, general powers and duties_	1424a	Same—Suspension of running of other statutes of limitations_	1424s
Same—Bond_	1424b	Claims to property, etc., transferred, etc., to alien property custodian by persons not enemy or ally of enemy; notice, filing, form, delivery of property to claimant, and order for_	1424t
Clerks, attorneys, investigators, etc., for_	1424c	Order for not bar to suit to establish right, etc., against claimant_	1424u
Same—Appointment of from civil-service list_	1424d	Same—Suits to establish claim to such property_	1424v
Annual report to Congress of proceedings under act_	1424e	Attachment, etc., of property transferred to alien property custodian_	1424w
Same—List showing number and compensation of employees, and kind of property taken, etc_	1424f	Property transferred to alien property custodian under section 10 not governed by this section_	1424x
Requiring property owned by, etc., enemy or ally of enemy conveyed, etc., to alien property custodian_	1424g	Moneys, etc., transferred to alien property custodian, payment into Treasury_	1424y
Voluntary payment of property, etc., of enemy or ally of enemy to alien property custodian; when authorized_	1424h	Property, etc., transferred to alien property custodian, keeping, etc.; designation of depositaries_	1424z
Acts done under order, rule, or regulation of President not to create liability in court_	1424i	Same—Certain property to be deposited in depositaries or with Secretary of Treasury_	1424aa
Effect of payment or delivery of property, etc., to alien property custodian_	1424j	Depositaries to give bond_	1424bb
Acknowledgment, receipt, etc., of conveyance, etc., of property to alien property custodian_	1424k	General powers of alien property custodian_	1424cc
Certificate of appointment of alien property custodian; evidence in all courts of United States_	1424l	Transfer by corporations, etc., on books, stocks, etc., owned by enemy or ally of enemy to alien property custodian_	1424dd
Same—Record of by courts, and certified copy of such record to be received in evidence_	1424m	Proceeds of sales of property, etc., to be deposited in Treasury by alien property custodian_	1424ee
Contracts, mortgages, pledges, etc., held by persons not enemy or ally of enemy against or with enemy or ally of enemy; holding, enforcement, disposing, etc., thereof_	1424n	Property, etc., transferred to Treasurer of United States, when_	1424ff
Same—Rules and regulations therefor_	1424o	Claims of enemy or ally of enemy at end of war, settlement_	1424gg
Same—Disposition of surplus_	1424p		
Abrogation of contracts with enemy or ally of enemy providing for delivery during or after war of things produced, etc., in United States; notice_	1424q		

Par.	Par.
Same—Payment or transfer in accordance with order of President or decree of court_ 1424hh	Transmission, etc., of money, etc., out of United States_ 1425n
Same—Payment by Treasurer of funds deposited by licensee_ 1424ii	Failure to apply for license within time limit, refusal or revocation of license; trading prohibited in cases of_ 1425o
Appropriation for expenses_ 1424jj	Claim of policyholder or insurance company not an enemy or ally of enemy, premiums on existing policies, etc., on revocation of or refusal to license, etc_ 1425p
Acts prohibited_ 1425a-1425u	Change of name of enemy or ally of enemy_ 1425q
Trading with, etc., enemy or ally of enemy, etc., without license_ 1425a	Prohibiting foreign insurance companies from doing or licensing such companies to do business in United States_ 1425r
Transporting, etc., into or from United States, subjects or citizens of enemy or ally of enemy nation without license_ 1425b	Suspension of provisions of act relating to ally of enemy; licenses, etc., to do business; rules and regulations for enforcement of act_ 1425s
Sending into or from United States letters, etc., except in regular course of mail; sending, etc., out of United States letters, etc., for or to enemy or ally of enemy_ 1425c	Postponement of performance of certain acts_ 1425t
Same—Exceptions, etc_ 1425d	Regulate, etc., transactions in foreign exchange, etc., of gold or silver coin or bullion or currency, transmission of credits, etc_ 1425u
Censorship of communications by mail, etc_ 1425e	Acts permitted_ 1425v-1425uu
Evading, etc., censorship, punishment_ 1425f	Applications for letters patent, or registration of trade-mark, etc., or copyright by enemy or ally of enemy_ 1425v
Licenses to enemy or ally of enemy insurance or reinsurance companies, etc., doing business in United States_ 1425g	Same—Extension of time for filing applications_ 1425w
Condition of license and revocation of_ 1425h	Payment of tax, annuity, or fee in relation to patents, etc., to enemy or ally of enemy; application for patents, etc., by citizens of United States in country of enemy, etc_ 1425x
Revocation or refusal to license, notice of_ 1425i	Licenses to manufacture, use, etc., articles covered by patent, etc., owned by enemy or ally of enemy_ 1425y
Abrogation of existing contracts with enemy or ally of enemy insurance or reinsurance company_ 1425j	Same—Conditions of licenses and fees for same_ 1425z
President's proclamation relating to marine and war-risk insurance as affecting German insurance companies to remain in force for certain time_ 1425k	
Licensed enemy or ally of enemy insurance or reinsurance companies not to transmit funds, etc., out of United States, etc_ 1425l	
Lawful for enemy or ally of enemy to do business in United States, when and under what conditions_ 1425m	

	Par.		Par.
Same—License defense to suit instituted by owners of patents, etc.....	1425aa	Lists of enemy or ally of enemy officers, directors, or stockholders of corporations, etc., in United States, with amount of stock owned by such officers, etc.....	1427a
Statements filed by licensees with President, contents; payment to alien-property custodian of per centum from receipts from sales, etc.....	1425bb	Lists of stocks owned by enemy or ally of enemy.....	1427b
Term of licenses.....	1425cc	Alien property custodian may strike names from such lists.....	1427c
Cancellation of licenses.....	1425dd	Reports of property held for or debts due to enemy or ally of enemy.....	1427d
Suits against license by owner of patent, etc.....	1425ee	Same—Report of property and of debts as of date of February 3, 1917.....	1427e
Same—Notice of suits.....	1425ff	Same—Alien property custodian may strike names from such reports.....	1427f
Same—Defenses.....	1425gg	Extension of time for filing lists of reports.....	1427g
Same—Court may award reasonable royalty.....	1425hh	Importation of certain articles into United States prohibited on proclamation by President.....	1431a
Same—Fund from which judgment and decree shall be paid.....	1425ii	Statements required from masters of vessels and owners, etc., of cargoes before granting clearance, contents.....	1439a
Repayment of per centum deposited with alien property custodian.....	1425jj	Same—Copies for American consular officer on reaching destination.....	1439b
Reports to President to cease upon entry of suit or repayment of funds.....	1425kk	Refusal of clearance to vessels on belief, etc., that statements required by section 13 are false.....	1439c
Termination of license on suit brought; injunction against infringement by licensee.....	1425ll	Reports by collector of customs of gold or silver coin, etc., in cargoes intended for export.....	1439d
Restraining infringement of patents, etc., by enemy or ally of enemy.....	1425mm	Search warrants.....	1449a-1449v
Same—Notice to alien property custodian before entry of judgment.....	1425nn	Authority for issue.....	1449a
Certain powers of attorney valid.....	1425oo	Same—Grounds for issue.....	1449b
Keeping secret inventions and withholding grant of patents therefor.....	1425pp	Same—Probable cause and affidavit.....	1449c
Same—Inventions abandoned, when.....	1425qq	Same—Examination of applicant and witnesses; affidavits and depositions.....	1449d
Same—Compensation to patentee for use of inventions tendered to United States, etc.....	1425rr	Same—Affidavits and depositions.....	1449e
Offenses, punishment, forfeiture of property, etc.....	1425ss	Same—Issuance of, contents.....	1449f
Rules, orders, process, etc., by district courts; appeals.....	1425tt	Same—Service of.....	1449g
Jurisdiction of courts of Philippine Islands and Canal Zone of offenses under act.....	1425uu	Same—Service, breaking and entering.....	1449h

Par.	Par.
Same—Service, breaking and entering to liberate detained person aiding in execution of warrant.....	1449i
Same—Service in daytime.....	1449j
Same—Time for service and return.....	1449k
Same—Copy of and receipt for property taken to person from whom taken.....	1449l
Same—Return, inventory of property taken.....	1449m
Same—Returns, copy of inventory for person from whom property was taken and to applicant.....	1449n
Same—Taking testimony.....	1449o
Same—Restoration of property taken; retention of custody of property by officer or other disposition.....	1449p
Same—Filing papers with clerk of court having jurisdiction..	1449q
Same—Obstructing, etc., service, or execution, etc., punishment.....	1449r
Same—Perjury and subornation of perjury.....	1449s
Same—Maliciously procuring issue of, punishment.....	1449t
Same—Officer exceeding authority, punishment.....	1449u
Same—Existing laws not repealed.....	1449v
Enlisting in foreign service, punishment.....	1468a
Same—Exceptions.....	1468b
Repatriation.....	1468c-1468h
Certain American citizens who have enlisted in foreign armies.....	1468c
Same—No claim for pension, etc., shall accrue to United States for disabilities incurred in foreign army or navy.....	1468d
Same—Procedure.....	1468e
Same—Duty of consular officer or court.....	1468f
Same—Citizenship acquired.....	1468g
Same—Joint regulations by Secretaries of State and Labor..	1468h
Neutrality.....	1469a-1472b
Withholding clearance from vessels violating, during existence of war to which United States is not a party.....	1469a
Same—Penalty for vessels departing jurisdiction of United States without clearance.....	1469b
Restrictions on importations from United States under laws of belligerent, penalty for.....	1469c
Vessels under belligerent laws discriminating against citizens of United States, penalty for..	1469d
Restrictions under belligerent laws on commerce of American ships or citizens, penalty for.....	1469e
Same—Penalty for vessels departing without clearance....	1469f
Same—President authorized to use land or naval forces for enforcement of act.....	1469g
Vessels in ports of the United States.....	1469h-1469l
Rules and regulations governing anchorage and movement; taking control and possession of.....	1469h
Same—Powers of Governor of Canal Zone as to.....	1469i
Same—Failure to comply with rules and regulations; seizure and forfeiture of vessels, etc..	1469j
Same—Destruction or injury of vessels; use of vessels as resort for persons conspiring against United States, etc.; punishment.....	1469k
Same—Employment of land or naval forces for enforcement of title.....	1469l
Injuring vessels engaged in foreign commerce, punishment..	1469m
Interference with foreign commerce by violent means, punishment.....	1469n
Enforcement of neutrality....	{ 1469o- 1469w
Withholding clearance papers from vessels.....	1469o

	Par.		Par.
Detention of armed vessels.....	1469p	Seizure of arms and other articles intended for export.....	1475c-1475l
Sending out armed vessels with intent to deliver same to belligerents.....	1469q	Authority to make seizure.....	1475c
Statement from master of vessel that cargo will not be delivered to other vessels, etc., additional to requirements of secs. 4197, 4198, and 4200, Revised Statutes.....	1469r	Same—Forfeiture to United States.....	1475c-l
Forbidding departure of vessels, when.....	1469s	Same—Application for warrant, issue of warrant.....	1475d
Unlawful taking of vessels out of port, punishment.....	1469t	Same—Custody of property seized.....	1475e
Leaving jurisdiction, etc., by interned persons of armed land or naval forces of belligerent nations, arrest and punishment.....	1469u	Same—Petition of owner for restoration, hearing.....	1475f
Employment of land or naval forces for enforcement of title.....	1469v	Same—Libel of property, sale of property.....	1475g
Neutrality regulations of Mar. 4, 1915, repealed.....	1469w	Same—Procedure on petition of owner and libellant.....	1475h
Organizing military expedition against friendly power, punishment.....	1471a	Same—Bond for redelivery of property.....	1475i
Same—President authorized to use land or naval forces to prevent violation.....	1472a	Same—Operation of title.....	1475j
Same—Extends to all land and water, continental or insular, within jurisdiction of United States.....	1572b	Same—Release of property on payment of costs, etc.....	1475k
Compelling foreign vessels to depart, etc.....	1473a	Same—Enforcement of title.....	1475l
Mexico.....	1475a-1475b	Certain exports in time of war unlawful.....	1475m-1475p
Employment of armed force in, by President justified.....	1475a	Proclamation by the President as to.....	1475m
Same—Hostility to Mexican people disclaimed.....	1475b	Same—Punishment for exportation, etc.....	1475n
		Same—Refusal of clearance to vessels.....	1475o
		Same—Punishment for taking, etc., such vessel out of port, etc.....	1475p
		General provisions.....	1475q-1475t
		United States defined.....	1475q
		Jurisdiction of offenses.....	1475r
		Prosecutions under prior laws, repealed, etc.....	1475s
		Effect of partial invalidity of act.....	1475t

1415a. *Declaration of existence of war between the Imperial German Government and the Government of the United States.*—The state of war between the United States and the Imperial German Government which has thus been thrust upon the United States is hereby formally declared; and that the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial German Government; and to bring the conflict to a successful termination all of the re-

sources of the country are hereby pledged by the Congress of the United States.¹ *Joint Resolution of Apr. 6, 1917 (40 Stat. 1).*

1415b. *Vessels within jurisdiction of the United States belonging to its enemies to be taken over.*—The President be, and he is hereby, authorized to take over to the United States the immediate possession and title of any vessel within the jurisdiction thereof, including the Canal Zone and all territories and insular possessions of the United States except the American Virgin Islands, which at the time of coming into such jurisdiction was owned in whole or in part by any corporation, citizen, or subject of any nation with which the United States may be at war when such vessel shall be taken, or was flying the flag of or was under register of any such nation or any political subdivision or municipality thereof; and, through the United States Shipping Board, or any department or agency of the Government, to operate, lease, charter, and equip such vessel in any service of the United States, or in any commerce, foreign or coastwise.—*Sec. 1, Joint Resolution of May 12, 1917 (40 Stat. 75).*

1415c. *Same—Appointment of board of survey to ascertain value of such vessels.*—The Secretary of the Navy be, and he is hereby, authorized and directed to appoint, subject to the approval of the President, a board of survey, whose duty it shall be to ascertain the actual value of the vessel, its equipment, appurtenances, and all property contained therein, at the time of its taking, and to make a written report of their findings to the Secretary of the Navy, who shall preserve such report with the records of his department. These findings shall be considered as competent evidence in all proceedings on any claim for compensation. *Sec. 2, id.*

TREASON.

1415d. *Treason defined.*—Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason. *Sec. 1, Act of Mar. 4, 1909, Criminal Code (35 Stat. 1088).*

(This section reenacts section 5331, Revised Statutes, which it repeals.)

¹The preamble to this resolution recites that "Whereas the Imperial German Government has committed repeated acts of war against the Government and the people of the United States of America: Therefore be it resolved," etc. Upon the question raised as to the "date of commencement of the present war" with reference to the action which should be taken on claims of officers and enlisted men for property destroyed in the military service under the act of Congress approved March 3, 1885, providing that the act "shall not apply to losses sustained in time of war or hostilities with Indians."

Held, that the date of the commencement of the present war should be regarded as the date of the approval of the joint resolution of Congress of April 6, 1917, formally declaring a state of war as existing between the United States and the Imperial German Government. (War Dept. Bull. 49, Aug. 22, 1917.)

1415e. Same—Punishment for.—Whoever is convicted of treason shall suffer death; or, at the discretion of the court, shall be imprisoned not less than five years and fined not less than ten thousand dollars, to be levied on and collected out of any or all of his property, real and personal, of which he was the owner at the time of committing such treason, any sale or conveyance to the contrary notwithstanding; and every person so convicted of treason shall, moreover, be incapable of holding any office under the United States. *Sec. 2, id.*

(This section substantially reenacts section 5332, Revised Statutes, which is repealed.)

1415f. Misprision of treason defined; punishment of.—Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be imprisoned not more than seven years and fined not more than one thousand dollars. *Sec. 3, id.*

(This section reenacts section 5333, Revised Statutes, which is repealed.)

1415g. Inciting, etc., rebellion or insurrection; punishment for.—Whoever incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States or the laws thereof, or gives aid or comfort thereto, shall be imprisoned not more than ten years, or fined not more more than ten thousand dollars, or both; and shall, moreover, be incapable of holding any office under the United States. *Sec. 4, id.*

(This section is a substantial reenactment of section 5334, Revised Statutes, which is repealed.)

1415h. Criminal correspondence with foreign governments; punishment for; redress of private injuries.—Every citizen of the United States, whether actually resident or abiding within the same, or in any place subject to the jurisdiction thereof, or in any foreign country, without permission or authority of the Government, directly or indirectly, commences or carries on any verbal or written correspondence or intercourse with any foreign government or any officer or agent thereof, with an intent to influence the measures or conduct of any foreign government or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the Government of the United States; and every person, being a citizen of or resident within the United States or in any place subject to the jurisdiction thereof, and not duly authorized, counsels, advises, or assists in any such correspondence with such intent, shall be fined not more than five thousand dollars and imprisoned not more than three years; but nothing in this sec-

tion shall be construed to abridge the right of a citizen to apply, himself or his agent, to any foreign government or the agents thereof for redress of any injury which he may have sustained from such government or any of its agents or subjects. *Sec. 5, id.*

(This section is a substantial reenactment of section 5335, Revised Statutes, which is repealed.)

1415i. *Seditious conspiracy, punishment for.*—If two or more persons in any State or Territory, or in any place subject to the jurisdiction of the United States, conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof, or by force to prevent, hinder, or delay the execution of any law of the United States, or by force to seize, take, or possess any property of the United States contrary to the authority thereof, they shall each be fined not more than five thousand dollars, or imprisoned not more than six years, or both. *Sec. 6, id., 1089.*

(This section is a substantial reenactment of section 5336, Revised Statutes, which is repealed.)

1415j. *Recruiting for service against the United States, punishment for.*—Whoever recruits soldiers or sailors within the United States, or in any place subject to the jurisdiction thereof, to engage in armed hostility against the same, or opens within the United States, or in any place subject to the jurisdiction thereof, a recruiting station for the enlistment of such soldiers or sailors to serve in any manner in armed hostility against the United States, shall be fined not more than one thousand dollars and imprisoned not more than five years. *Sec. 7, id.*

(This section is a substantial reenactment of section 5337, Revised Statutes, which is repealed.)

1415k. *Enlisting to serve against the United States, punishment for.*—Every person enlisted or engaged within the United States or in any place subject to the jurisdiction thereof, with intent to serve in armed hostility against the United States, shall be fined one hundred dollars and imprisoned not more than three years. *Sec. 8, id.*

(This section is a substantial reenactment of section 5338, Revised Statutes, which is repealed.)

TRADING WITH THE ENEMY.

1420a. *Definition of act.*—This Act shall be known as the "Trading with the enemy Act." *Sec. 1, Act of Oct. 6, 1917 (40 Stat. 411).*

1420b. *"Enemy" defined.*—The word "enemy," as used herein, shall be deemed to mean, for the purposes of such trading and of this Act—

Any individual, partnership, or other body of individuals, of any nationality, resident within the territory (including that occupied

by the military and naval forces) of any nation with which the United States is at war, or resident outside the United States and doing business within such territory, and any corporation incorporated within such territory of any nation with which the United States is at war or incorporated within any country other than the United States and doing business within such territory.

The government of any nation with which the United States is at war, or any political or municipal subdivision thereof, or any officer, official, agent, or agency thereof.

Such other individuals, or body or class of individuals, as may be natives, citizens, or subjects of any nation with which the United States is at war, other than citizens of the United States, wherever resident or wherever doing business, as the President, if he shall find the safety of the United States or the successful prosecution of the war shall so require, may, by proclamation, include within the term "enemy." *Sec. 2, id.*

1420c. "*Ally of enemy*" defined.—The words "ally of enemy," as used herein, shall be deemed to mean—

Any individual, partnership, or other body of individuals, of any nationality, resident within the territory (including that occupied by the military and naval forces) of any nation which is an ally of a nation with which the United States is at war, or resident outside the United States and doing business within such territory, and any corporation incorporated within such territory of such ally nation, or incorporated within any country other than the United States and doing business within such territory.

The government of any nation which is an ally of a nation with which the United States is at war, or any political or municipal subdivision of such ally nation, or any officer, official, agent, or agency thereof.

Such other individuals, or body or class of individuals, as may be natives, citizens, or subjects of any nation which is an ally of a nation with which the United States is at war, other than citizens of the United States, wherever resident or wherever doing business, as the President, if he shall find the safety of the United States or the successful prosecution of the war shall so require, may, by proclamation, include within the term "ally of enemy." *Id.*

1420d. "*Person*" defined.—The word "person," as used herein, shall be deemed to mean an individual, partnership, association, company, or other unincorporated body of individuals, or corporation or body politic. *Id.*, 412.

1420e. "*United States*" defined.—The words "United States," as used herein, shall be deemed to mean all land and water, continental or insular, in any way within the jurisdiction of the United States or occupied by the military or naval forces thereof. *Id.*

1420f. "*Beginning of the war*" defined.—The words "the beginning of the war," as used herein, shall be deemed to mean midnight ending the day on which Congress has declared or shall declare war or the existence of a state of war. *Id.*

1420g. "*End of the war*" defined.—The words "end of the war," as used herein, shall be deemed to mean the date of proclamation of exchange of ratifications of the treaty of peace, unless the President shall, by proclamation, declare a prior date, in which case the date so proclaimed shall be deemed to be the "end of the war" within the meaning of this Act. *Id.*

1420h. "*Bank or banks*" defined.—The words "bank or banks," as used herein, shall be deemed to mean and include national banks, State banks, trust companies, or other banks or banking associations doing business under the laws of the United States, or of any State of the United States. *Id.*

1420i. "*To trade*" defined.—The words "to trade," as used herein, shall be deemed to mean—

Pay, satisfy, compromise, or give security for the payment or satisfaction of any debt or obligation.

Draw, accept, pay, present for acceptance or payment, or indorse any negotiable instrument or chose in action.

Enter into, carry on, complete, or perform any contract, agreement, or obligation.

Buy or sell, loan or extend credit, trade in, deal with, exchange, transmit, transfer, assign, or otherwise dispose of, or receive any form of property.

To have any form of business or commercial communication or intercourse with. *Id.*

(For sections 3, 4, 5, and 6 of this act see paragraphs 1425a–1425u, and 1424a–1424f, post.)

1420j. *Act not to be construed as validating act, etc., constituting trade with, etc., enemy since beginning of war and prior to passage of act otherwise void.*—Nothing in this Act contained shall render valid or legal, or be construed to recognize as valid or legal, any act or transaction constituting trade with, to, from, for or on account of, or on behalf or for the benefit of an enemy performed or engaged in since the beginning of the war and prior to the passage of this Act, or any such act or transaction hereafter performed or engaged in except as authorized hereunder, which would otherwise have been or be void, illegal, or invalid at law. *Sec. 7, id., 416.*

(For the provisions of this section preceding this paragraph see paragraphs 1427a–1427g, post.)

1420k. *Conveyances, etc., in violation of section three without license not to confer right or remedy in respect thereof; assignee,*

indorsee, etc., of debt, note, etc., by, from, etc., of enemy, etc., not to have right or remedy, etc.—No conveyance, transfer, delivery, payment, or loan of money or other property, in violation of section three hereof, made after the passage of this Act, and not under license as herein provided shall confer or create any right or remedy in respect thereof; and no person shall by virtue of any assignment, indorsement, or delivery to him of any debt, bill, note, or other obligation or chose in action by, from, or on behalf of, or on account of, or for the benefit of an enemy or ally of enemy have any right or remedy against the debtor, obligor, or other person liable to pay, fulfill, or perform the same unless said assignment, indorsement, or delivery was made prior to the beginning of the war or shall be made under license as herein provided, or unless, if made after the beginning of the war and prior to the date of passage of this Act, the person to whom the same was made shall prove lack of knowledge and of reasonable cause to believe on his part that the same was made by, from or on behalf of, or on account of, or for the benefit of an enemy or ally of enemy; and any person who knowingly pays, discharges, or satisfies any such debt, note, bill, or other obligation or chose in action shall, on conviction thereof, be deemed to violate section three hereof.¹ *Id.*, 417.

1420l. *Payment of obligations assigned to person not an enemy, etc., prior to beginning of war.*—Nothing in this Act contained shall prevent the carrying out, completion, or performance of any contract, agreement, or obligation originally made with or entered into by an enemy or ally of enemy where, prior to the beginning of the war and not in contemplation thereof, the interest of such enemy or ally of enemy devolved by assignment or otherwise upon a person not an enemy or ally of enemy, and no enemy or ally of enemy will be benefited by such carrying out, completion, or performance otherwise than by release from obligation thereunder. *Id.*

1420m. *Payments by enemy, etc., to person in United States not enemy made prior to beginning of war.*—Nothing in this Act shall be deemed to prevent payment of money belonging or owing to an enemy or ally of enemy to a person within the United States not an enemy or ally of enemy, for the benefit of such person or of any other person within the United States, not an enemy or ally of enemy, if the funds so paid shall have been received prior to the beginning of the war and such payments arise out of transactions entered into prior to the beginning of the war, and not in contemplation thereof. *Id.*

¹ See paragraphs 1425a-1425f, post.

1420n. *Same—License therefor.*—Such payment shall not be made without the license of the President, general or special, as provided in this Act. *Id.*

1420o. *Suits or actions in courts in United States by enemy or ally of enemy prior to end of war not authorized by act.*—Nothing in this Act shall be deemed to authorize the prosecution of any suit or action at law or in equity in any court within the United States by an enemy or ally of enemy prior to the end of the war, except as provided in section ten hereof. *Id.*

1420p. *Same—Exceptions as to enemy licensed to do business under Act.*—An enemy or ally of enemy licensed to do business under this Act may prosecute and maintain any such suit or action so far as the same arises solely out of the business transacted within the United States under such license and so long as such license remains in full force and effect. *Id.*

1420q. *Same—Right of enemy, etc., to defend by counsel.*—An enemy or ally of enemy may defend by counsel any suit in equity or action at law which may be brought against him. *Id.*

1420r. *Notice from President that person is enemy, etc., prima facie defense in suit or action.*—Receipt of notice from the President to the effect that he has reasonable ground to believe that any person is an enemy or ally of enemy shall be prima facie defense to any one receiving the same, in any suit or action at law or in equity brought or maintained, or to any right or set-off or recoupment asserted by, such person and based on failure to complete or perform since the beginning of the war any contract or other obligation. *Id.*

1420s. *Same—Notice from President that person is enemy, etc., prima facie evidence in prosecution under section 16 of act.*—In any prosecution under section sixteen¹ hereof, proof of receipt of notice from the President to the effect that he has reasonable cause to believe that any person is an enemy or ally of enemy shall be prima facie evidence that the person receiving such notice has reasonable cause to believe such other person to be an enemy or ally of enemy within the meaning of section three hereof. *Id.*

(For the ensuing provisions of this section see paragraphs 1424g-1424m, post.)

ALIEN PROPERTY CUSTODIAN.

1424a. *Appointment, salary, general powers and duties.*—The President is authorized to appoint, prescribe the duties of, and fix the salary (not to exceed \$5,000 per annum) of an official to be known as the alien property custodian, who shall be empowered to receive all money and property in the United States due or belonging

¹ See paragraph 1425ss, post.

to an enemy, or ally of enemy, which may be paid, conveyed, transferred, assigned, or delivered to said custodian under the provisions of this Act; and to hold, administer, and account for the same under the general direction of the President and as provided in this Act. *Sec. 6, Id., 415.*

(For sections 3, 4, and 5 of this act see paragraphs 1425a-1425u, post.)

1424b. *Same—Bond.*—The alien property custodian shall give such bond or bonds, and in such form and amount, and with such security as the President shall prescribe. *Id.*

1424c. *Clerks, attorneys, investigators, etc., for.*—The President may further employ in the District of Columbia and elsewhere and fix the compensation of such clerks, attorneys, investigators, accountants, and other employees as he may find necessary for the due administration of the provisions of this Act. *Id.*

1424d. *Same—Appointment of from Civil Service list.*—Such clerks, investigators, accountants, and other employees shall be appointed from lists of eligibles to be supplied by the Civil Service Commission and in accordance with the civil-service law. *Id.*

1424e. *Annual report to Congress of proceedings under act.*—The President shall cause a detailed report to be made to Congress on the first day of January of each year of all proceedings had under this Act during the year preceding. *Id.*

1424f. *Same—List showing number and compensation of employees, and kinds of property taken, etc.*—Such report shall contain a list of all persons appointed or employed, with the salary or compensation paid to each, and a statement of the different kinds of property taken into custody and the disposition made thereof. *Id.*

1424g. *Requiring property owned by, etc., enemy or ally of enemy conveyed, etc., to alien property custodian.*—If the President shall so require, any money or other property owning or belonging to or held for, by, on account of, or on behalf of, or for the benefit of an enemy or ally of enemy not holding a license granted by the President hereunder, which the President after investigation shall determine is so owing or so belongs or is so held, shall be conveyed, transferred, assigned, delivered, or paid over to the alien property custodian. *Sec. 7, id., 418.*

(For the provisions of this section immediately preceding this paragraph see paragraphs 1420j-1420s, ante.)

1424h. *Voluntary payment of property, etc., of enemy or ally of enemy to alien property custodian, when authorized.*—If not required to pay, convey, transfer, assign, or deliver under the provisions of subsection (c) hereof, any person not an enemy or ally of enemy who owes to, or holds for, or on account of, or on behalf of, or for the benefit of an enemy or of an ally of enemy not holding a

license granted by the President hereunder, any money or other property, or to whom any obligation or form of liability to such enemy or ally of enemy is presented for payment, may, at his option, with the consent of the President, pay, convey, transfer, assign, or deliver to the alien property custodian said money or other property under such rules and regulations as the President shall prescribe. *Id.*

1424i. *Acts done under order, rule, or regulations of President not to create liability in court.*—No person shall be held liable in any court for or in respect to anything done or omitted in pursuance of any order, rule, or regulation made by the President under the authority of this Act. *Id.*

1424j. *Effect of payment or delivery of property, etc., to alien property custodian.*—Any payment, conveyance, transfer, assignment, or delivery of money or property made to the alien property custodian hereunder shall be a full acquittance and discharge for all purposes of the obligation of the person making the same to the extent of same. *Id.*

1424k. *Acknowledgment, receipt, etc., of conveyance, etc., of property to alien property custodian.*—The alien property custodian and such other persons as the President may appoint shall have power to execute, acknowledge, and deliver any such instrument or instruments as may be necessary or proper to evidence upon the record or otherwise such acquittance and discharge, and shall, in case of payment to the alien property custodian of any debt or obligation owed to an enemy or ally of enemy, deliver up any notes, bonds, or other evidences of indebtedness or obligation, or any security therefor in which such enemy or ally of enemy had any right or interest that may have come into the possession of the alien property custodian, with like effect as if he or they, respectively, were duly appointed by the enemy or ally of enemy, creditor, or obligee. *Id.*

1424l. *Certificate of appointment of alien property custodian; evidence in all courts of United States.*—The President shall issue to every person so appointed a certificate of the appointment and authority of such person, and such certificate shall be received in evidence in all courts within the United States. *Id.*

1424m. *Same—Record of by courts, and certified copy of such record to be received in evidence.*—Whenever any such certificate of authority shall be offered to any registrar, clerk, or other recording officer, Federal or otherwise, within the United States, such officer shall record the same in like manner as a power of attorney, and such record or a duly certified copy thereof shall be received in evidence in all courts of the United States or other courts within the United States. *Id.*

1424n. *Contracts, mortgages, pledges, etc., held by persons not enemy or ally of enemy against or with enemy or ally of enemy;*

holding, enforcement, disposing, etc., thereof.—Any person not an enemy or ally of enemy holding a lawful mortgage, pledge, or lien, or other right in the nature of security in property of an enemy or ally of enemy which, by law or by the terms of the instrument creating such mortgage, pledge, or lien, or right, may be disposed of on notice or presentation or demand, and any person not an enemy or ally of enemy who is a party to any lawful contract with an enemy or ally of enemy, the terms of which provide for a termination thereof upon notice or for acceleration of maturity on presentation or demand, may continue to hold said property, and, after default, may dispose of the property in accordance with law or may terminate or mature such contract by notice or presentation or demand served or made on the alien property custodian in accordance with the law and the terms of such instrument or contract and under such rules and regulations as the President shall prescribe; and such notice and such presentation and demand shall have, in all respects, the same force and effect as if duly served or made upon the enemy or ally of enemy personally. *Sec. 8, Id., 418.*

1424o. *Same—Rules and regulations therefor.*—No such rule or regulation shall require that notice or presentation or demand shall be served or made in any case in which, by law or by the terms of said instrument or contract, no notice, presentation, or demand was, prior to the passage of this Act, required; and that in case where, by law or by the terms of such instrument or contract, notice is required, no longer period of notice shall be required. *Id., 419.*

1424p. *Same—Disposition of surplus.*—If, on any such disposition of property, a surplus shall remain after the satisfaction of the mortgage, pledge, lien, or other right in the nature of security, notice of that fact shall be given to the President pursuant to such rules and regulations as he may prescribe, and such surplus shall be held subject to his further order. *Id.*

1424q. *Abrogation of contracts with enemy or ally of enemy providing for delivery during or after war of things produced, etc., in United States, notice.*—Any contract entered into prior to the beginning of the war between any citizen of the United States or any corporation organized within the United States, and an enemy or ally of an enemy, the terms of which provide for the delivery, during or after any war in which a present enemy or ally of enemy nation has been or is now engaged, of anything produced, mined, or manufactured in the United States, may be abrogated by such citizen or corporation by serving thirty days' notice in writing upon the alien property custodian of his or its election to abrogate such contract. *Id.*

1424r. *Suspension of running of statutes of limitations relating to rights or remedies on contracts, etc., made prior to war; contracts*

included.—The running of any statute of limitations shall be suspended with reference to the rights or remedies on any contract or obligation entered into prior to the beginning of the war between parties neither of whom is an enemy or ally of enemy, and containing any promise to pay or liability for payment which is evidenced by drafts or other commercial paper drawn against or secured by funds or other property situated in an enemy or ally of enemy country, and no suit shall be maintained on any such contract or obligation in any court within the United States until after the end of the war, or until the said funds or property shall be released for the payment or satisfaction of such contract or obligation. *Id.*

1424s. *Same—Suspension of running of other statutes of limitations.*—Nothing herein contained shall be construed to prevent the suspension of the running of the statute of limitations in all other cases where such suspension would occur under existing law. *Id.*

1424t. *Claims to property, etc., transferred, etc., to alien property custodian by persons not enemy or ally of enemy; notice, filing, form, delivery of property to claimant, and order for.*—Any person, not an enemy, or ally of enemy, claiming any interest, right, or title in any money or other property which may have been conveyed, transferred, assigned, delivered, or paid to the alien property custodian hereunder, and held by him or by the Treasurer of the United States, or to whom any debt may be owing from an enemy, or ally of enemy, whose property or any part thereof shall have been conveyed, transferred, assigned, delivered, or paid to the alien property custodian hereunder, and held by him or by the Treasurer of the United States, may file with the said custodian a notice of his claim under oath and in such form and containing such particulars as the said custodian shall require; and the President, if application is made therefor by the claimant, may, with the assent of the owner of said property and of all persons claiming any right, title, or interest therein, order the payment, conveyance, transfer, assignment or delivery to said claimant of the money or other property so held by the alien property custodian or by the Treasurer of the United States or of the interest therein to which the President shall determine said claimant is entitled. *Sec. 9, id.*

1424u. *Order for not bar to suit to establish right, etc., against claimant.*—No such order by the President shall bar any person from the prosecution of any suit at law or in equity against the claimant to establish any right, title, or interest which he may have in such money or other property. *Id.*

1424v. *Same—Suits to establish claim to such property.*—If the President shall not so order within sixty days after the filing of such application, or if the claimant shall have filed the notice as above required and shall have made no application to the President,

said claimant may, at any time before the expiration of six months after the end of the war, institute a suit in equity in the district court of the United States for the district in which such claimant resides, or, if a corporation, where it has its principal place of business (to which suit the alien property custodian or the Treasurer of the United States, as the case may be, shall be made a party defendant), to establish the interest, right, title, or debt so claimed, and if suit shall be so instituted then the money or other property of the enemy, or ally of enemy, against whom such interest, right, or title is asserted, or debt claimed, shall be retained in the custody of the alien property custodian, or in the Treasury of the United States, as provided in this Act, and until any final judgment or decree which shall be entered in favor of the claimant shall be fully satisfied by payment or conveyance, transfer, assignment, or delivery by the defendant or by the alien property custodian or Treasurer of the United States on order of the court, or until final judgment or decree shall be entered against the claimant, or suit otherwise terminated. *Id.*, 420.

1424w. *Attachment, etc., of property transferred to alien property custodian.*—Except as herein provided, the money or other property conveyed, transferred, assigned, delivered, or paid to the alien property custodian shall not be liable to lien, attachment, garnishment, trustee process, or execution, or subject to any order or decree of any court. *Id.*

1424x. *Property transferred to alien property custodian under section ten not governed by this section.*—This section shall not apply, however, to money paid to the alien property custodian under section ten¹ hereof. *Id.*

(For sections 10 and 11 of this act see paragraphs 1425v–1425w and 1431a, post.)

1424y. *Moneys, etc., transferred to alien property custodian, payment into Treasury.*—All moneys (including checks and drafts payable on demand) paid to or received by the alien property custodian pursuant to this Act shall be deposited forthwith in the Treasury of the United States, and may be invested and reinvested by the Secretary of the Treasury in United States bonds or United States certificates of indebtedness, under such rules and regulations as the President shall prescribe for such deposit, investment, and sale of securities; and as soon after the end of the war as the President shall deem practicable, such securities shall be sold and the proceeds deposited in the Treasury. *Sec. 12, id.*, 423.

1424z. *Property, etc., transferred to alien property custodian, keeping, etc.; designation of depositaries.*—All other property of an enemy, or ally of enemy, conveyed, transferred, assigned, delivered, or paid to the alien property custodian hereunder shall be safely held

¹ See paragraphs 1425bb, 1425hh–1425jj, etc., post.

and administered by him except as hereinafter provided; and the President is authorized to designate as a depositary, or depositaries, of property of an enemy or ally of enemy, any bank, or banks, or trust company, or trust companies, or other suitable depositary or depositaries, located and doing business in the United States. *Id.*

1424aa. *Same—Certain property to be deposited in depositaries or with Secretary of Treasury.*—The alien property custodian may deposit with such designated depositary or depositaries, or with the Secretary of the Treasury, any stocks, bonds, notes, time drafts, time bills of exchange, or other securities, or property (except money or checks or drafts payable on demand which are required to be deposited with the Secretary of the Treasury) and such depositary or depositaries shall be authorized and empowered to collect any dividends or interest or income that may become due and any maturing obligations held for the account of such custodian. Any moneys collected on said account shall be paid and deposited forthwith by said depositary or by the alien property custodian into the Treasury of the United States as hereinbefore provided. *Id.*

1424bb. *Depositaries to give bond.*—The President shall require all such designated depositaries to execute and file bonds sufficient in his judgment to protect property on deposit, such bonds to be conditioned as he may direct. *Id.*

1424cc. *General powers of alien property custodian.*—The alien property custodian shall be vested with all of the powers of a common-law trustee in respect of all property, other than money, which shall come into his possession in pursuance of the provisions of this Act, and, acting under the supervision and direction of the President, and under such rules and regulations as the President shall prescribe, may manage such property and do any act or things in respect thereof or make any disposition thereof or of any part thereof, by sale or otherwise, and exercise any rights which may be or become appurtenant thereto or to the ownership thereof, if and when necessary to prevent waste and protect such property and to the end that interests of the United States in such property and rights or of such person as may ultimately become entitled thereto, or to the proceeds thereof, may be preserved and safeguarded. *Id.*

1424dd. *Transfer by corporations, etc., on books, stocks, etc., owned by enemy or ally of enemy to alien property custodian.*—It shall be the duty of every corporation incorporated within the United States and every unincorporated association, or company, or trustee, or trustees within the United States issuing shares or certificates representing beneficial interests to transfer such shares or certificates upon its, his, or their books into the name of the alien property custodian upon demand, accompanied by the presentation of the certificates which represent such shares or beneficial interests. *Id.*

1424ee. *Proceeds of sales of property, etc., to be deposited in Treasury by alien property custodian.*—The alien property custodian shall forthwith deposit in the Treasury of the United States, as hereinbefore provided, the proceeds of any such property or rights so sold by him. *Id.*

1424ff. *Property, etc., transferred to Treasurer of United States, when.*—Any money or property required or authorized by the provisions of this Act to be paid, conveyed, transferred, assigned, or delivered to the alien property custodian shall, if said custodian shall so direct by written order, be paid, conveyed, transferred, assigned, or delivered to the Treasurer of the United States with the same effect as if to the alien property custodian. *Id.*

1424gg. *Claims of enemy or ally of enemy at end of war, settlement.*—After the end of the war any claim of any enemy or of an ally of enemy to any money or other property received and held by the alien property custodian or deposited in the United States Treasury, shall be settled as Congress shall direct. *Id.*, 424.

1424hh. *Same—Payment or transfer in accordance with order of President or decree of court.*—On order of the President as set forth in section nine hereof, or of the court, as set forth in sections nine and ten hereof, the alien property custodian or the Treasurer of the United States, as the case may be, shall forthwith convey, transfer, assign, and pay to the person to whom the President shall so order, or in whose behalf the court shall enter final judgment or decree, any property of an enemy or ally of enemy held by said custodian or by said Treasurer, so far as may be necessary to comply with said order of the President or said final judgment or decree of the court. *Id.*

1424ii. *Same—Payment by Treasurer of funds deposited by licensee.*—The Treasurer of the United States, on order of the alien property custodian shall, as provided in section ten hereof, repay to the licensee any funds deposited by said licensee. *Id.*

1424jj. *Appropriation for expenses.*—The sum of \$450,000 is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, to be used in the discretion of the President for the purpose of carrying out the provisions of this Act during the fiscal year ending June thirtieth, nineteen hundred and eighteen, and for the payment of salaries of all persons employed under this Act, together with the necessary expenses for transportation, subsistence, rental of quarters in the District of Columbia, books of reference, periodicals, stationery, typewriters and exchanges thereof, miscellaneous supplies, printing to be done at the Government Printing Office, and all other necessary expenses not included in the foregoing. *Sec. 15, id.*, 425.

(For sections 13 and 14 of this act see paragraphs 1439a-1439d, post.)

ACTS PROHIBITED.

1425a. *Trading with, etc., enemy or ally of enemy, etc., without license.*—It shall be unlawful—

For any person in the United States, except with the license of the President, granted to such person, or to the enemy, or ally of enemy, as provided in this Act, to trade, or attempt to trade, either directly or indirectly, with, to, or from, or for, or on account of, or on behalf of, or for the benefit of, any other person, with knowledge or reasonable cause to believe that such other person is an enemy or ally of enemy, or is conducting or taking part in such trade, directly or indirectly, for, or on account of, or on behalf of, or for the benefit of, an enemy or ally of enemy. *Sec. 3, id., 412.*

(For sections 1 and 2 of this act see paragraphs 1420a-1420i, ante.)

1425b. *Transporting, etc., into or from United States, subjects or citizens of enemy or ally of enemy nation without license.*—For any person, except with the license of the President, to transport or attempt to transport into or from the United States, or for any owner, master, or other person in charge of a vessel of American registry to transport or attempt to transport from any place to any other place, any subject or citizen of an enemy or ally of enemy nation, with knowledge or reasonable cause to believe that the person transported or attempted to be transported is such subject or citizen. *Id.*

1425c. *Sending into or from United States letters, etc., except in regular course of mail; sending, etc., out of United States letters, etc., for or to enemy or ally of enemy.*—For any person (other than a person in the service of the United States Government or of the Government of any nation, except that of an enemy or ally of enemy nation, and other than such persons or classes of persons as may be exempted hereunder by the President or by such person as he may direct), to send, or take out of, or bring into, or attempt to send, or take out of, or bring into the United States, any letter or other writing or tangible form of communication, except in the regular course of the mail; and it shall be unlawful for any person to send, take, or transmit, or attempt to send, take, or transmit out of the United States, any letter or other writing, book, map, plan, or other paper, picture, or any telegram, cablegram, or wireless message, or other form of communication intended for or to be delivered, directly or indirectly, to an enemy or ally of enemy. *Id.*

1425d. *Same—Exceptions, etc.*—Any person may send, take, or transmit out of the United States anything herein forbidden if he shall first submit the same to the President, or to such officer as the President may direct, and shall obtain the license or consent of the President, under such rules and regulations, and with such exemptions, as shall be prescribed by the President. *Id., 413.*

1425e. *Censorship of communications by mail, etc.*—Whenever, during the present war, the President shall deem that the public safety demands it, he may cause to be censored under such rules and regulations as he may from time to time establish, communications by mail, cable, radio, or other means of transmission passing between the United States and any foreign country he may from time to time specify, or which may be carried by any vessel or other means of transportation touching at any port, place, or territory of the United States and bound to or from any foreign country. *Id.*

(See paragraphs 253a–253e, ante, as to the use of mails under the espionage act; and paragraphs 253f–253k, ante, relative to printing and mailing newspapers, etc., published in foreign languages.)

1425f. *Evading, etc., censorship, punishment.*—Any person who willfully evades or attempts to evade the submission of any such communication to such censorship or willfully uses or attempts to use any code or other device for the purpose of concealing from such censorship the intended meaning of such communication shall be punished as provided in section sixteen of this Act. *Id.*

1425g. *Licenses to enemy or ally of enemy insurance or reinsurance companies, etc., doing business in United States.*—Every enemy or ally of enemy insurance or reinsurance company, and every enemy or ally of enemy, doing business within the United States through an agency or branch office, or otherwise, may, within thirty days after the passage of this Act, apply to the President for a license to continue to do business; and, within thirty days after such application, the President may enter an order either granting or refusing to grant such license. *Sec. 4, id.*

1425h. *Conditions of license and revocation of.*—The license, if granted, may be temporary or otherwise, and for such period of time, and may contain such provisions and conditions regulating the business, agencies, managers and trustees and the control and disposition of the funds of the company, or of such enemy or ally of enemy, as the President shall deem necessary for the safety of the United States; and any license granted hereunder may be revoked or regranted or renewed in such manner and at such times as the President shall determine. *Id.*

1425i. *Revocation or refusal to license, notice of.*—Reasonable notice of his intent to refuse to grant a license or to revoke a license granted to any reinsurance company shall be given by him to all insurance companies incorporated within the United States and known to the President to be doing business with such reinsurance company. *Id.*

1425j. *Abrogation of existing contracts with enemy or ally of enemy insurance or reinsurance company.*—No insurance company, organized within the United States, shall be obligated to continue

any existing contract, entered into prior to the beginning of the war, with any enemy or ally of enemy insurance or reinsurance company, but any such company may abrogate and cancel any such contract by serving thirty days' notice in writing upon the President of its election to abrogate such contract. *Id.*

1425k. *President's proclamation relating to marine and war-risk insurance as affecting German insurance companies to remain in force for certain time.*—For a period of thirty days after the passage of this Act, and further pending the entry of such order by the President, after application made by any enemy or ally of enemy insurance or reinsurance company, within such thirty days as above provided, the provisions of the President's proclamation of April sixth, nineteen hundred and seventeen, relative to agencies in the United States of certain insurance companies, as modified by the provisions of the President's proclamation of July thirteenth, nineteen hundred and seventeen,¹ relative to marine and war-risk insur-

¹ Whereas, certain insurance companies, incorporated under the laws of the German Empire, have been admitted to transact the business of marine and war risk insurance in various States of the United States, by means of separate United States Branches established pursuant to the laws of such States, and are now engaged in such business under the supervision of the Insurance Departments thereof, with assets in the United States deposited with Insurance Departments or in the hands of resident trustees, citizens of the United States, for the protection of all policy-holders in the United States;

And whereas, the nature of marine and war risk insurance is such that those conducting it must of necessity be in touch with the movements of ships and cargoes, and it has been considered by the Government of great importance that this information should not be obtained by alien enemies;

Now, therefore, I, Woodrow Wilson, President of the United States of America, by virtue of the powers vested in me as such, hereby declare and proclaim that such branch establishments of German Insurance Companies now engaged in the transaction of business in the United States pursuant to the laws of the several States are hereby prohibited from continuing the transaction of the business of marine and war risk insurance either as direct insurers or re-insurers; and all individuals, firms, and insurance companies incorporated under the laws of any of the States or Territories of the United States, or of any foreign country, and established pursuant to the laws of such States and now engaged in the United States in the business of marine and war risk insurance either as direct insurers or re-insurers are hereby prohibited from re-insuring with companies incorporated under the laws of the German Empire, no matter where located; and all persons in the United States are prohibited from insuring against marine or war risks with insurance companies incorporated under the laws of the German Empire or with individuals, firms, and insurance companies incorporated under the laws of any of the States or Territories of the United States or of any foreign country and now engaged in the business of marine or war risk insurance in the United States, which re-insure business originating in the United States with companies incorporated under the laws of the German Empire, no matter where located.

The foregoing prohibitions shall extend and operate as to all existing contracts for insurance and re-insurance which are hereby suspended for the period of the war, except that they shall not operate to vitiate or prevent the insurance or re-insurance of, and the payment or receipt of, premiums on insurance or re-insurance under existing contracts on vessels or interest at risk on the date of this proclamation, and such insurance or re-insurance, if for a voyage, shall continue in force until arrival at destination, and if for time, until thirty days from the date of this proclamation, but if on a voyage at that time, until the arrival at destination.

Nothing herein shall be construed to operate to prevent the payment or

ance, shall remain in full force and effect so far as it applies to such German insurance companies, and the conditions of said proclamation of April sixth, nineteen hundred and seventeen, as modified by said proclamation of July thirteenth, nineteen hundred and seventeen, shall also during said period of thirty days after the passage of this Act, and pending the order of the President as herein provided, apply to any enemy or ally of enemy insurance or reinsurance company, anything in this Act to the contrary notwithstanding. *Id.*

1425l. *Licensed enemy or ally of enemy insurance or reinsurance companies not to transmit funds, etc., out of United States, etc.*—It shall be unlawful for any enemy or ally of enemy insurance or reinsurance company, to whom license is granted, to transmit out of the United States any funds belonging to or held for the benefit of such company or to use any such funds as the basis for the establishment directly or indirectly of any credit within or outside of the United States to, or for the benefit of, or on behalf of, or on account of, an enemy or ally of enemy. *Id.*, 414.

1425m. *Lawful for enemy or ally of enemy to do business in United States, when and under what conditions.*—For a period of thirty days after the passage of this Act, and further pending the entry of such order by the President, after application made within such thirty days by any enemy or ally of enemy, other than an insurance or reinsurance company as above provided, it shall be lawful for such enemy or ally of enemy to continue to do business in this country and for any person to trade with, to, from, for, on account of, on behalf of or for the benefit of such enemy or ally of enemy, anything in this Act to the contrary notwithstanding. *Id.*

1425n. *Transmission, etc., of money, etc., out of United States.*—The provisions of sections three and sixteen¹ hereof shall apply to any act or attempted act of transmission or transfer of money or other property out of the United States and to the use or attempted use of such money or property as the basis for the establishment of

receipt of any premium, return premium, or claim now due or which may become due on or in respect to insurances or re-insurances not prohibited by this proclamation.

That all funds of such German companies now in the possession of their managers or agents, or which shall hereafter come into their possession, shall be subject to such rules and regulations concerning the payment and disposition thereof as shall be prescribed by the insurance supervising officials of the State in which the principal office of such establishment in the United States is located, but in no event shall any funds belonging to or held for the benefit of such companies be transmitted outside of the United States, nor be used as the basis for the establishment, directly or indirectly, of any credit within or outside of the United States to or for the benefit or use of the enemy or any of his allies without the permission of this Government.

¹ See paragraphs 1425a-1425f, ante, and paragraph 1425ss, post.)

any credit within or outside of the United States to, or for the benefit of, or on behalf of, or on account of, an enemy or ally of enemy. *Id.*

1425o. *Failure to apply for license within time limit, refusal or revocation of license; trading prohibited in cases of.*—If no license is applied for within thirty days after the passage of this Act, or if a license shall be refused to any enemy or ally of enemy, whether insurance or reinsurance company or other person, making application, or if any license granted shall be revoked by the President, the provisions of sections three and sixteen hereof shall forthwith apply to all trade or to any attempt to trade with, to, from, for, by, on account of, or on behalf of, or for the benefit of such company or other person. *Id.*

1425p. *Claim of policyholder or insurance company, not an enemy or ally of enemy, premiums on existing policies, etc., on revocation of or refusal to license, etc.*—After such refusal or revocation, anything in this Act to the contrary notwithstanding, it shall be lawful for a policyholder or for an insurance company, not an enemy or ally of enemy, holding insurance or having effected reinsurance in or with such enemy or ally of enemy insurance or reinsurance company, to receive payment of, and for such enemy or ally of enemy insurance or reinsurance company to pay any premium, return premium, claim, money, security, or other property due or which may become due on or in respect to such insurance or reinsurance in force at the date of such refusal or revocation of license; and nothing in this Act shall vitiate or nullify then existing policies or contracts of insurance or reinsurance, or the conditions thereof; and any such policyholder or insurance company, not an enemy or ally of enemy, having any claim to or upon money or other property of the enemy or ally of enemy insurance or reinsurance company in the custody or control of the alien property custodian, hereinafter provided for, or of the Treasurer of the United States, may make application for the payment thereof and may institute suit as provided in section nine hereof. *Id.*

1425q. *Change of name of enemy or ally of enemy.*—During the present war, no enemy, or ally of enemy, and no partnership of which he is a member or was a member at the beginning of the war, shall for any purpose assume or use any name other than that by which such enemy or partnership was ordinarily known at the beginning of the war, except under license from the President. *Id.*

1425r. *Prohibiting foreign insurance companies from doing or licensing such companies to do business in United States.*—Whenever, during the present war, in the opinion of the President the public safety or public interest requires, the President may prohibit any or all foreign insurance companies from doing business in the

United States, or the President may license such company or companies to do business upon such terms as he may deem proper. *Id.*

1425s. *Suspension of provisions of act relating to ally of enemy; licenses, etc., to do business; rules and regulations for enforcement of act.*—The President, if he shall find it compatible with the safety of the United States and with the successful prosecution of the war, may, by proclamation, suspend the provisions of this Act so far as they apply to an ally of enemy, and he may revoke or renew such suspension from time to time; and the President may grant licenses, special or general, temporary or otherwise, and for such period of time and containing such provisions and conditions as he shall prescribe, to any person or class of persons to do business as provided in subsection (a) of section four¹ hereof, and to perform any act made unlawful without such license in section three hereof, and to file and prosecute applications under subsection (b) of section ten hereof; and he may revoke or renew such licenses from time to time, if he shall be of opinion that such grant or revocation or renewal shall be compatible with the safety of the United States and with the successful prosecution of the war; and he may make such rules and regulations, not inconsistent with law, as may be necessary and proper to carry out the provisions of this Act; and the President may exercise any power or authority conferred by this Act through such officer or officers as he shall direct. *Sec. 5, id., 415.*

1425t. *Postponement of performance of certain acts.*—If the President shall have reasonable cause to believe that any act is about to be performed in violation of section three² hereof he shall have authority to order the postponement of the performance of such act for a period not exceeding ninety days, pending investigation of the facts by him. *Id.*

1425u. *Regulate, etc., transactions in foreign exchange, etc., of gold or silver coin or bullion or currency, transfers of credits, etc.*—The President may investigate, regulate, or prohibit, under such rules and regulations as he may prescribe, by means of licenses or otherwise, any transactions in foreign exchange, export or earmarkings of gold or silver coin or bullion or currency, transfers of credit in any form (other than credits relating solely to transactions to be executed wholly within the United States), and transfers of evidences of indebtedness or of the ownership of property between the United States and any foreign country, whether enemy, ally of enemy or otherwise, or between residents of one or more foreign countries, by any person within the United States; and he may require any such person engaged in any such transaction to furnish, under oath, complete information relative thereto, including the production of

¹ See paragraph 1425g, ante.

² See paragraphs 1425a–1425f, ante.

any books of account, contracts, letters or other papers, in connection therewith in the custody or control of such person, either before or after such transaction is completed. *Id.*

ACTS PERMITTED.

1425v. *Applications for letters patent, or registration of trade-mark, etc., of copyright by enemy or ally of enemy.*—Nothing contained in this Act shall be held to make unlawful any of the following Acts:

An enemy, or ally of enemy, may file and prosecute in the United States an application for letters patent, or for registration of trade-mark, print, label, or copyright, and may pay any fees therefor in accordance with and as required by the provisions of existing law and fees for attorneys or agents for filing and prosecuting such applications. *Sec. 10, id., 420.*

1425w. *Same—Extension of time for filing applications.*—Any such enemy, or ally of enemy, who is unable during war, or within six months thereafter, on account of conditions arising out of war, to file any such application, or to pay any official fee, or to take any action required by law within the period prescribed by law, may be granted an extension of nine months beyond the expiration of said period, provided the nation of which the said applicant is a citizen, subject, or corporation shall extend substantially similar privileges to citizens and corporations of the United States. *Id.*

1425x. *Payment of tax, annuity or fee in relation to patents, etc., to enemy or ally of enemy; application for patents, etc., by citizens of United States in country of enemy, etc.*—Any citizen of the United States, or any corporation organized within the United States, may, when duly authorized by the President, pay to an enemy or ally of enemy any tax, annuity, or fee which may be required by the laws of such enemy or ally of enemy nation in relation to patents and trade-marks, prints, labels, and copyrights; and any such citizen or corporation may file and prosecute an application for letters patent or for registration of trade-mark, print, label, or copyright in the country of an enemy, or of an ally of enemy after first submitting such application to the President and receiving license so to file and prosecute, and to pay the fees required by law and customary agents' fees, the maximum amount of which in each case shall be subject to the control of the President. *Id.*

1425y. *Licenses to manufacture, use, etc., articles covered by patent, etc., owned by enemy or ally of enemy.*—Any citizen of the United States or any corporation organized within the United States desiring to manufacture, or cause to be manufactured, a machine, manufacture, composition of matter, or design, or to carry on, or to use

any trade-mark, print, label or cause to be carried on, a process under any patent or copyrighted matter owned or controlled by an enemy or ally of enemy at any time during the existence of a state of war may apply to the President for a license; and the President is hereby authorized to grant such a license, nonexclusive or exclusive as he shall deem best, provided he shall be of the opinion that such grant is for the public welfare, and that the applicant is able and intends in good faith to manufacture, or cause to be manufactured, the machine, manufacture, composition of matter, or design, or to carry on, or cause to be carried on, the process or to use the trade-mark, print, label, or copyrighted matter. *Id.*

1425z. *Same—Conditions of licenses and fees for same.*—The President may prescribe the conditions of this license, including the fixing of prices of articles and products necessary to the health of the military and naval forces of the United States or the successful prosecution of the war, and the rules and regulations under which such license may be granted and the fee which shall be charged therefor, not exceeding \$100, and not exceeding one per centum of the fund deposited as hereinafter provided. *Id.*

1425aa. *Same—License defense to suit instituted by owners of patents, etc.*—Such license shall be a complete defense to any suit at law or in equity instituted by the enemy or ally of enemy owners of the letters patent, trade-mark, print, label, or copyright, or otherwise, against the licensee for infringement or for damages, royalty, or other money award on account of anything done by the licensee under such license, except as provided in subsection (f) hereof.¹ *Id.*

1425bb. *Statements filed by licensees with President, contents; payment to alien property custodian of per centum of receipts from sales, etc.*—The licensee shall file with the President a full statement of the extent of the use and enjoyment of the license, and of the prices received in such form and at such stated periods (at least annually) as the President may prescribe; and the licensee shall pay at such times as may be required to the alien property custodian not to exceed five per centum of the gross sums received by the licensee from the sale of said inventions or use of the trade-mark, print, label or copyrighted matter, or, if the President shall so order, five per centum of the value of the use of such inventions, trade-marks, prints, labels or copyrighted matter to the licensee as established by the President; and sums so paid shall be deposited by said alien property custodian forthwith in the Treasury of the United States as a trust fund for the said licensee and for the owner of the said patent, trade-mark, print, label or copyright registration as hereinafter provided, to be paid from the Treasury upon order of the court, as provided

¹ See paragraphs 1425ee–1425il, post.

in subdivision (f) of this section, or upon the direction of the alien property custodian. *Id.*

1425cc. Term of licenses.—Unless surrendered or terminated as provided in this Act, any license granted hereunder shall continue during the term fixed in the license or in the absence of any such limitation during the term of the patent, trade-mark, print, label, or copyright registration under which it is granted. *Id.*

1425dd. Cancellation of licenses.—Upon violation by the licensee of any of the provisions of this Act, or of the conditions of the license, the President may, after due notice and hearing, cancel any license granted by him. *Id.*

1425ee. Suits against licensee by owner of patent, etc.—The owner of any patent, trade-mark, print, label, or copyright under which a license is granted hereunder may, after the end of the war and until the expiration of one year thereafter, file a bill in equity against the licensee in the district court of the United States for the district in which the said licensee resides, or, if a corporation, in which it has its principal place of business (to which suit the Treasurer of the United States shall be made a party), for recovery from the said licensee for all use and enjoyment of the said patented invention, trade-mark, print, label, or copyrighted matter. *Id.*

1425ff. Same—Notice of suits.—Whenever suit is brought, as above, notice shall be filed with the alien property custodian within thirty days after date of entry of suit. *Id.*

1425gg. Same—Defenses.—The licensee may make any and all defenses which would be available were no license granted. *Id.*

1425hh. Same—Court may award reasonable royalty.—The court on due proceedings had may adjudge and decree to the said owner payment of a reasonable royalty. *Id.*

1425ii. Same—Fund from which judgment and decree shall be paid.—The amount of said judgment and decree, when final, shall be paid on order of the court to the owner of the patent from the fund deposited by the licensee, so far as such deposit will satisfy said judgment and decree; and the said payment shall be in full or partial satisfaction of said judgment and decree, as the facts may appear; and if, after payment of all such judgments and decrees, there shall remain any balance of said deposit, such balance shall be repaid to the licensee on order of the alien property custodian. *Id.*

1425jj. Repayment of per centum deposited with alien property custodian.—If no suit is brought within one year after the end of the war, or no notice is filed as above required, then the licensee shall not be liable to make any further deposits, and all funds deposited by him shall be repaid to him on order of the alien property custodian. *Id.*, 422.

1425kk. *Reports to President to cease upon entry of suit or repayment of funds.*—Upon entry of suit and notice filed as above required, or upon repayment of funds as above provided, the liability of the licensee to make further reports to the President shall cease. *Id.*

1425ll. *Termination of license on suit brought; injunction against infringement by licensee.*—If suit is brought as above provided, the court may, at any time, terminate the license, and may, in such event, issue an injunction to restrain the licensee from infringement thereafter, or the court, in case the licensee, prior to suit, shall have made investment of capital based on possession of the license, may continue the license for such period and upon such terms and with such royalties as it shall find to be just and reasonable. *Id.*

1425mm. *Restraining infringement of patents, etc., by enemy or ally of enemy.*—Any enemy, or ally of enemy, may institute and prosecute suits in equity against any person other than a licensee under this Act to enjoin infringement of letters patent, trade-mark, print, label, and copyrights in the United States owned or controlled by said enemy or ally of enemy, in the same manner and to the extent that he would be entitled so to do if the United States was not at war. *Id.*

1425nn. *Same—Notice to alien property custodian before entry of judgment.*—No final judgment or decree shall be entered in favor of such enemy or ally of enemy by any court except after thirty days' notice to the alien property custodian. Such notice shall be in writing and shall be served in the same manner as civil process of Federal courts. *Id.*

1425oo. *Certain powers of attorney valid.*—All powers of attorney heretofore or hereafter granted by an enemy or ally of enemy to any person within the United States, in so far as they may be requisite to the performance of acts authorized in subsections (a) and (g)¹ of this section, shall be valid. *Id.*

1425pp. *Keeping secret inventions and withholding grant of patents therefor.*—Whenever the publication of an invention by the granting of a patent may, in the opinion of the President, be detrimental to the public safety or defense, or may assist the enemy or endanger the successful prosecution of the war, he may order that the invention be kept secret and withhold the grant of a patent until the end of the war. *Id.*

1425qq. *Same—Inventions abandoned, when.*—The invention disclosed in the application for said patent may be held abandoned upon it being established before or by the Commissioner of Patents that, in violation of said order, said invention has been published or that an application for a patent therefor has been filed in any other

¹ See paragraphs 1425v, 1425w, 1425mm, and 1425nn, ante.

country, by the inventor or his assigns or legal representatives, without the consent or approval of the commissioner or under a license of the President. *Id.*

1425rr. *Same—Compensation to patentee for use of inventions tendered to United States, etc.*—When an applicant whose patent is withheld as herein provided and who faithfully obeys the order of the President above referred to shall tender his invention to the Government of the United States for its use, he shall, if he ultimately receives a patent, have the right to sue for compensation in the Court of Claims, such right to compensation to begin from the date of the use of the invention by the Government. *Id.*

(See paragraphs 1616a-1616c, post, for almost identical provisions contained in the act of October 6, 1917 (40 Stat. 394), entitled "An act to prevent the publication of inventions by the grant of patents that might be detrimental to the public safety or convey useful information to the enemy, to stimulate invention, and provide adequate protection to owners of patents, and for other purposes," except that the above provisions may be regarded as applicable only during the present war, while the provisions in paragraphs 1616a-1616c are applicable during any time when the United States is at war.)

1425ss. *Offenses, punishment, forfeiture of property, etc.*—Whoever shall willfully violate any of the provisions of this Act or of any license, rule, or regulation issued thereunder, and whoever shall willfully violate, neglect, or refuse to comply with any order of the President issued in compliance with the provisions of this Act shall, upon conviction, be fined not more than \$10,000, or, if a natural person, imprisoned for not more than ten years, or both; and the officer, director, or agent of any corporation who knowingly participates in such violation shall be punished by a like fine, imprisonment, or both, and any property, funds, securities, papers, or other articles or documents, or any vessel, together with her tackle, apparel, furniture, and equipment, concerned in such violation shall be forfeited to the United States. *Sec. 16, id., 425.*

(For sections 11-15 of this act see paragraphs 1431a, 1424y-1424ii, 1439a-1439d, 1424jj.)

1425tt. *Rules, orders, process, etc., by district courts, appeals.*—The district courts of the United States are hereby given jurisdiction to make and enter all such rules as to notice and otherwise, and all such orders and decrees, and to issue such process as may be necessary and proper in the premises to enforce the provisions of this Act, with a right of appeal from the final order or decree of such court as provided in sections one hundred and twenty-eight and two hundred and thirty-eight¹ of the Act of March third, nineteen hundred and eleven, entitled "An Act to codify, revise, and amend the laws relating to the judiciary." *Sec. 17, id.*

¹ See 36 Stat., 1133 and 1157.

1425uu. *Jurisdiction of courts of Philippine Islands and Canal Zone of offenses under act.*—The several courts of first instance in the Philippine Islands and the district court of the Canal Zone shall have jurisdiction of offenses under this Act committed within their respective districts, and concurrent jurisdiction with the district courts of the United States of offenses under this Act committed upon the high seas and of conspiracies to commit such offenses as defined by section thirty-seven¹ of the Act entitled “An Act to codify, revise, and amend the penal laws of the United States,” approved March fourth, nineteen hundred and nine, and the provisions of such section for the purpose of this Act are hereby extended to the Philippine Islands and to the Canal Zone. *Sec. 18, id.*

(For section 19 of this act see paragraphs 253f-253k, ante.)

1427a. *Lists of enemy or ally of enemy officers, directors or stockholders of corporations, etc., in United States, with amount of stock owned by such officers, etc.*—Every corporation incorporated within the United States, and every unincorporated association, or company, or trustee, or trustees within the United States, issuing shares or certificates representing beneficial interests, shall, under such rules and regulations as the President may prescribe and, within sixty days after the passage of this Act, and at such other times thereafter as the President may require, transmit to the alien property custodian a full list, duly sworn to, of every officer, director, or stockholder known to be, or whom the representative of such corporation, association, company, or trustee has reasonable cause to believe to be an enemy or ally of enemy resident within the territory, or a subject or citizen residing outside of the United States, of any nation with which the United States is at war, or resident within the territory, or a subject or citizen residing outside of the United States, of any ally of any nation with which the United States is at war, together with the amount of stock or shares owned by each such officer, director, or stockholder, or in which he has any interest. *Sec. 7, id., 416.*

1427b. *Lists of stocks owned by enemy or allies of enemy.*—The President may also require a similar list to be transmitted of all stock or shares owned on February third, nineteen hundred and seventeen, by any person now defined as an enemy or ally of enemy, or in which any such person had any interest; and he may also require a list to be transmitted of all cases in which said corporation, association, company, or trustee has reasonable cause to believe that the stock or shares on February third, nineteen hundred and seventeen, were owned or are owned by such enemy or ally of enemy, though standing on the books in the name of another. *Id.*

¹ See 35 Stat., 1096.

1427c. *Alien property custodian may strike names from such lists.*—The name of any such officer, director, or stockholder shall be stricken permanently or temporarily from such list by the alien property custodian when he shall be satisfied that he is not such enemy or ally of enemy. *Id.*

1427d. *Reports of property held for or debts due to enemy or ally of enemy.*—Any person in the United States who holds or has or shall hold or have custody or control of any property beneficial or otherwise, alone or jointly with others, of, for, or on behalf of an enemy or ally of enemy, or of any person whom he may have reasonable cause to believe to be an enemy or ally of enemy and any person in the United States who is or shall be indebted in any way to an enemy or ally of enemy, or to any person whom he may have reasonable cause to believe to be an enemy or ally of enemy, shall, with such exceptions and under such rules and regulations as the President shall prescribe, and within thirty days after the passage of this Act, or within thirty days after such property shall come within his custody or control, or after such debt shall become due, report the fact to the alien-property custodian by written statement under oath containing such particulars as said custodian shall require. *Id.*

1427e. *Same—Report of property and of debts as of date of February 3, 1917.*—The President may also require a similar report of all property so held, of, for, or on behalf of, and of all debts owed to, any person now defined as an enemy or ally of enemy, on February third, nineteen hundred and seventeen. *Id.*

1427f. *Same—Alien property custodian may strike names from such reports.*—The name of any person shall be stricken from the said report by the alien-property custodian, either temporarily or permanently, when he shall be satisfied that such person is not an enemy or ally of enemy. *Id.*

1427g. *Extension of time for filing lists or reports.*—The President may extend the time for filing the lists or reports required by this section for an additional period not exceeding ninety days. *Id.*

(For the ensuing provisions of this section see paragraphs 1420j–1420s, 1424g–1424m, ante.)

1431a. *Importation of certain articles into United States prohibited on proclamation by President.*—Whenever during the present war the President shall find that the public safety so requires and shall make proclamation thereof it shall be unlawful to import into the United States from any country named in such proclamation any article or articles mentioned in such proclamation except at such time or times, and under such regulations or orders, and subject to such limitations and exceptions as the President shall prescribe, until otherwise ordered by the President or by Congress: *Provided,*

however, That no preference shall be given to the ports of one State over those of another. *Sec. 11, id., 422.*

(For sections 10 and 12 of this act see paragraphs 1425v-1425rr, 1424y-1424ii, ante.)

1439a. *Statements required from masters of vessels and owners, etc., of cargoes before granting clearance, contents.*—During the present war, in addition to the facts required by sections forty-one hundred and ninety-seven, forty-one hundred and ninety-eight, and forty-two hundred of the Revised Statutes, as amended by the Act of June fifteenth, nineteen hundred and seventeen, to be set out in the master's and shipper's manifests before clearance will be issued to vessels bound to foreign ports, the master or person in charge of any vessel, before departure of such vessel from port, shall deliver to the collector of customs of the district wherein such vessel is located a statement duly verified by oath that the cargo is not shipped or to be delivered in violation of this Act, and the owners, shippers, or consignors of the cargo of such vessels shall in like manner deliver to the collector like statement under oath as to the cargo or the parts thereof laden or shipped by them, respectively, which statement shall contain also the names and addresses of the actual consignees of the cargo, or if the shipment is made to a bank or other broker, factor, or agent, the names and addresses of the persons who are the actual consignees on whose account the shipment is made. *Ses. 13, id., 424.*

(For sec. 12 of this act see pars. c 1424y-1424ii, ante.)

1439b. *Same—Copies for American consular officers on reaching destination.*—The master or person in control of the vessel shall, on reaching port of destination of any of the cargo, deliver a copy of the manifest and of the said master's, owner's, shipper's, or consignor's statement to the American consular officer of the district in which the cargo is unladen. *Id.*

1439c. *Refusal of clearance to vessels on belief, etc., that statements required by section 13 are false.*—During the present war, whenever there is reasonable cause to believe that the manifest or the additional statements under oath required by the preceding section are false or that any vessel, domestic or foreign, is about to carry out of the United States any property to or for the account or benefit of an enemy, or ally of enemy, or any property or person whose export, taking out, or transport will be in violation of law, the collector of customs for the district in which such vessel is located is hereby authorized and empowered subject to review by the President to refuse clearance to any such vessel, domestic or foreign, for which clearance is required by law, and by formal notice served upon the owners, master, or person or persons in command or charge of any domestic vessel for which clearance is not required by law, to forbid the de-

parture of such vessel from the port, and it shall thereupon be unlawful for such vessel to depart. *Sec. 14, id.*

1439d. *Reports by collector of customs of gold or silver coin, etc., in cargoes intended for export.*—The collector of customs shall, during the present war, in each case report to the President the amount of gold or silver coin or bullion or other moneys of the United States contained in any cargo intended for export. Such report shall include the names and addresses of the consignors and consignees, together with any facts known to the collector with reference to such shipment and particularly those which may indicate that such gold or silver coin or bullion or moneys of the United States may be intended for delivery or may be delivered, directly or indirectly, to an enemy or an ally of enemy. *Id.*

SEARCH WARRANTS.

1449a. *Authority to issue.*—A search warrant authorized by this title may be issued by a judge of a United States district court, or by a judge of a State or Territorial court of record, or by a United States commissioner for the district wherein the property sought is located. *Title XI, Sec. 1, Act of June 15, 1917 (40 Stat. 228).*

1449b. *Same—Grounds for issue.*—A search warrant may be issued under this title upon either of the following grounds:

1. When the property was stolen or embezzled in violation of a law of the United States; in which case it may be taken on the warrant from any house or other place in which it is concealed, or from the possession of the person by whom it was stolen or embezzled, or from any person in whose possession it may be.

2. When the property was used as the means of committing a felony; in which case it may be taken on the warrant from any house or other place in which it is concealed, or from the possession of the person by whom it was used in the commission of the offense, or from any person in whose possession it may be.

3. When the property, or any paper, is possessed, controlled, or used in violation of section twenty-two of this title; in which case it may be taken on the warrant from the person violating said section, or from any person in whose possession it may be, or from any house or other place in which it is concealed. *Sec. 2, id.*

1449c. *Same—Probable cause and affidavit.*—A search warrant can not be issued but upon probable cause, supported by affidavit, naming or describing the person and particularly describing the property and the place to be searched. *Sec. 3, id.*

1449d. *Same—Examination of applicant and witnesses; affidavits and depositions.*—The judge or commissioner must, before issuing the warrant, examine on oath the complainant and any witness he

may produce, and require their affidavits or take their depositions in writing and cause them to be subscribed by the parties making them. *Sec. 4, id.*

1449e. *Same—Affidavits and depositions.*—The affidavits or depositions must set forth the facts tending to establish the grounds of the application or probable cause for believing that they exist. *Sec. 5, id.*

1449f. *Same—Issuance of, contents.*—If the judge or commissioner is thereupon satisfied of the existence of the grounds of the application or that there is probable cause to believe their existence, he must issue a search warrant, signed by him with his name of office, to a civil officer of the United States duly authorized to enforce or assist in enforcing any law thereof, or to a person so duly authorized by the President of the United States, stating the particular grounds or probable cause for its issue and the names of the persons whose affidavits have been taken in support thereof, and commanding him forthwith to search the person or place named, for the property specified, and to bring it before the judge or commissioner. *Sec. 6, id., 229.*

1449g. *Same—Service of.*—A search warrant may in all cases be served by any of the officers mentioned in its direction, but by no other person, except in aid of the officer on his requiring it, he being present and acting in its execution. *Sec. 7, id.*

1449h. *Same—Service, breaking and entering.*—The officer may break open any outer or inner door or window of a house, or any part of a house, or anything therein, to execute the warrant, if, after notice of his authority and purpose, he is refused admittance. *Sec. 8, id.*

1449i. *Same—Service, breaking and entering to liberate detained person aiding in execution of warrant.*—He may break open any outer or inner door or window of a house for the purpose of liberating a person who, having entered to aid him in the execution of the warrant, is detained therein, or when necessary for his own liberation. *Sec. 9, id.*

1449j. *Same—Service in daytime.*—The judge or commissioner must insert a direction in the warrant that it be served in the daytime, unless the affidavits are positive that the property is on the person or in the place to be searched, in which case he may insert a direction that it be served at any time of the day or night. *Sec. 10, id.*

1449k. *Same—Time for service and return.*—A search warrant must be executed and returned to the judge or commissioner who issued it within ten days after its date; after the expiration of this time the warrant, unless executed, is void. *Sec. 11, id.*

1449l. *Same—Copy of and receipt for property taken to persons from whom taken.*—When the officer takes property under the warrant, he must give a copy of the warrant together with a receipt for the property taken (specifying it in detail) to the person from whom it was taken by him, or in whose possession it was found; or, in the absence of any person, he must leave it in the place where he found the property. *Sec. 12, id.*

1449m. *Same—Return, inventory of property taken.*—The officer must forthwith return the warrant to the judge or commissioner and deliver to him a written inventory of the property taken, made publicly or in the presence of the person from whose possession it was taken, and of the applicant for the warrant, if they are present, verified by the affidavit of the officer at the foot of the inventory and taken before the judge or commissioner at the time, to the following effect: "I, R. S., the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all the property taken by me on the warrant." *Sec. 13, id.*

1449n. *Same—Returns, copy of inventory for person from whom property was taken and to applicant.*—The judge or commissioner must thereupon, if required, deliver a copy of the inventory to the person from whose possession the property was taken and to the applicant for the warrant. *Sec. 14, id.*

1449o. *Same—Taking testimony.*—If the grounds on which the warrant was issued be controverted, the judge or commissioner must proceed to take testimony in relation thereto, and the testimony of each witness must be reduced to writing and subscribed by each witness. *Sec. 15, id.*

1449p. *Same—Restoration of property taken; retention of custody of property by officer or other disposition.*—If it appears that the property or paper taken is not the same as that described in the warrant or that there is no probable cause for believing the existence of the grounds on which the warrant was issued, the judge or commissioner must cause it to be restored to the person from whom it was taken; but if it appears that the property or paper taken is the same as that described in the warrant and that there is probable cause for believing the existence of the grounds on which the warrant was issued, then the judge or commissioner shall order the same retained in the custody of the person seizing it or to be otherwise disposed of according to law. *Sec. 16, id.*

1449q. *Same—Filing papers with clerk of court having jurisdiction.*—The judge or commissioner must annex the affidavits, search warrant, return, inventory, and evidence, and if he has not power to inquire into the offense in respect to which the warrant was issued he must at once file the same, together with a copy of the record of

his proceedings, with the clerk of the court having power to so inquire. *Sec. 17, id., 230.*

1449r. Same—Obstructing, etc., service or execution, etc., punishment.—Whoever shall knowingly and willfully obstruct, resist, or oppose any such officer or person in serving or attempting to serve or execute any such search warrant, or shall assault, beat, or wound any such officer or person, knowing him to be an officer or person so authorized, shall be fined not more than \$1,000 or imprisoned not more than two years. *Sec. 18, id.*

1449s. Same—Perjury and subordination of perjury.—Sections one hundred and twenty-five and one hundred and twenty-six¹ of the Criminal Code of the United States shall apply to and embrace all persons making oath or affirmation or procuring the same under the provisions of this title, and such persons shall be subject to all the pains and penalties of said sections. *Sec. 19, id.*

1449t. Same—Maliciously procuring issue of, punishment.—A person who maliciously and without probable cause procures a search warrant to be issued and executed shall be fined not more than \$1,000 or imprisoned not more than one year. *Sec. 20, id.*

1449u. Same—Officer exceeding authority, punishment.—An officer who in executing a search warrant willfully exceeds his authority, or exercises it with unnecessary severity, shall be fined not more than \$1,000 or imprisoned not more than one year. *Sec. 21, id.*

(For the ensuing section of this title see paragraph 131741.)

1449v. Same—Existing laws not repealed.—Nothing contained in this title shall be held to repeal or impair any existing provisions of law regulating search and the issue of search warrants. *Sec. 23, id.*

(For general provisions of this act applicable to this title, see paragraphs 1475q–1475t.)

1468a. Enlisting in foreign service, punishment.—Whoever, within the territory or jurisdiction of the United States, enlists or enters himself, or hires or retains another person to enlist or enter himself, or to go beyond the limits or jurisdiction of the United States with intent to be enlisted or entered in the service of any foreign prince, State, colony, district, or people as a soldier or as a marine or seaman on board of any vessel of war, letter of marque, or privateer shall be fined not more than \$1,000 and imprisoned not more than three years. *Act of May 7, 1917 (40 Stat. 39), amending sec. 10, Act of Mar. 4, 1909, Criminal Code (35 Stat. 1089).*

1468b. Same—Exceptions.—This section shall not apply to citizens or subjects of any country engaged in war with a country with which the United States is at war, unless such citizen or subject of such

¹ See 35 Stat. 1111. These sections define perjury and subornation of perjury, and fix the maximum punishment for at five years' imprisonment and a fine of \$2,000.

foreign country shall hire or solicit a citizen of the United States to enlist or go beyond the jurisdiction of the United States with intent to enlist or enter the service of a foreign country. Enlistments under this proviso shall be under regulations prescribed by the Secretary of War. *Id.*

REPATRIATION.

1468c. *Certain American citizens who have enlisted in foreign armies.*—Any person formerly an American citizen, who may be deemed to have expatriated himself under the provisions of the first paragraph of section two¹ of the Act approved March second, nineteen hundred and seven, entitled "An Act in reference to the expatriation of citizens and their protection abroad," by taking, since August first, nineteen hundred and fourteen, an oath of allegiance to any foreign State engaged in war with a country with which the United States is at war, and who took such oath in order to be enabled to enlist in the armed forces of such foreign State, and who actually enlisted in such armed forces, and who has been or may be duly and honorably discharged from such armed forces, may, upon complying with the provisions of this Act, reassume and acquire the character and privileges of a citizen of the United States. *Act of Oct. 5, 1917 (40 Stat. 340).*

1468d. *Same—No claim for pension, etc., shall accrue to United States for disabilities incurred in foreign army or navy.*—No obligation in the way of pensions or other grants because of service in the army or navy of any other country, or disabilities incident thereto, shall accrue to the United States. *Id.*

1468e. *Same—Procedure.*—Any such person who desires so to reacquire and reassume the character and privileges of a citizen of the United States shall, if abroad, present himself before a consular officer of the United States, or, if in the United States, before any court authorized by law to confer American citizenship upon aliens, shall offer satisfactory evidence that he comes within the terms of this Act, and shall take an oath declaring his allegiance to the United States and agreeing to support the Constitution thereof and abjuring and disclaiming allegiance to such foreign State and to every foreign prince, potentate, State, or sovereignty. *Id.*

1468f. *Same—Duty of consular officer or court.*—The consular officer or court officer having jurisdiction shall thereupon issue in triplicate a certificate of American citizenship, giving one copy to the applicant, retaining one copy for his files, and forwarding one copy to the Secretary of Labor. *Id.*

¹ See 34 Stat. 1223.

1468g. *Same—Citizenship acquired.*—Thereafter such person shall in all respects be deemed to have acquired the character and privileges of a citizen of the United States. *Id.*

1468h. *Same—Joint regulations by Secretaries of State and Labor.*—The Secretary of State and the Secretary of Labor shall jointly issue regulations for the proper administration of this Act. *Id.*

NEUTRALITY.

1469a. *Withholding clearance from vessels violating, during existence of war to which the United States is not a party.*—From and after the passage of this resolution, and during the existence of a war to which the United States is not a party, and in order to prevent the neutrality of the United States from being violated by the use of its territory, its ports, or its territorial waters as the base of operations for the armed forces of a belligerent, contrary to the obligations imposed by the law of nations, the treaties to which the United States is a party, or contrary to the statutes of the United States, the President be, and he is hereby, authorized and empowered to direct the collectors of customs under the jurisdiction of the United States to withhold clearance from any vessel, American or foreign, which he has reasonable cause to believe to be about to carry fuel, arms, ammunition, men, or supplies to any warship, or tender, or supply ship of a belligerent nation, in violation of the obligations of the United States as a neutral nation. *Joint resolution 14, Mar. 4, 1915 (38 Stat. 1226).*

1469b. *Same—Penalty for vessels departing jurisdiction of United States without clearance.*—In case any such vessel shall depart or attempt to depart from the jurisdiction of the United States without clearance for any of the purposes above set forth, the owner or master or person or persons having charge or command of such vessel shall severally be liable to a fine of not less than \$2,000 nor more than \$10,000, or to imprisonment not to exceed two years, or both, and, in addition, such vessel shall be forfeited to the United States. *Id.*

1469c. *Restrictions on importations from United States under laws of belligerent, penalty for.*—Whenever during the existence of a war in which the United States is not engaged, the President shall be satisfied that there is reasonable ground to believe that under the laws, regulations, or practices of any country, colony, or dependency contrary to the law and practice of nations, the importation into their own or any other country, dependency, or colony of any article the product of the soil or industry of the United States and not injurious to health or morals is prevented or restricted the President is authorized and empowered to prohibit or restrict during the period such prohibition or restriction is in force, the importation into the United

States of similar or other articles, products of such country, dependency, or colony as in his opinion the public interest may require; and in such case he shall make proclamation stating the article or articles which are prohibited from importation into the United States; and any person or persons who shall import, or attempt to conspire to import, or be concerned in importing, such article or articles, into the United States contrary to the prohibition in such proclamation, shall be liable to a fine of not less than \$2,000 nor more than \$50,000, or to imprisonment not to exceed two years, or both, in the discretion of the court. The President may change, modify, revoke, or renew such proclamation in his discretion. *Sec. 805, Act of Sept. 8, 1916 (39 Stat. 799).*

1469d. *Vessels under belligerent laws discriminating against citizens of United States, penalty for.*—Whenever, during the existence of a war in which the United States is not engaged, the President shall be satisfied that there is reasonable ground to believe that any vessel, American or foreign, is, on account of the laws, regulations, or practices of a belligerent Government, making or giving any undue or unreasonable preference or advantage in any respect whatsoever to any particular person, company, firm, or corporation, or any particular description of traffic in the United States or its possessions or to any citizens of the United States residing in neutral countries abroad, or is subjecting any particular person, company, firm, or corporation or any particular description of traffic in the United States or its possessions, or any citizens of the United States residing in neutral countries abroad to any undue or unreasonable prejudice, disadvantage, injury, or discrimination in regard to accepting, receiving, transporting, or delivering, or refusing to accept, receive, transfer, or deliver any cargo, freight or passengers, or in any other respect whatsoever, he is hereby authorized and empowered to direct the detention of such vessels by withholding clearance or by formal notice forbidding departure, and to revoke, modify, or renew any such direction. *Sec. 806, id.*

1469e. *Restrictions under belligerent laws on commerce of American ships or citizens, penalty for.*—Whenever, during the existence of a war in which the United States is not engaged, the President shall be satisfied that there is reasonable ground to believe that under the laws, regulations, or practices of any belligerent country or Government, American ships or American citizens are not accorded any of the facilities of commerce which the vessels or citizens of that belligerent country enjoy in the United States or its possessions, or are not accorded by such belligerent equal privileges or facilities of trade with vessels or citizens of any nationality other than that of such belligerent, the President is hereby authorized and empowered

to withhold clearance from one or more vessels of such belligerent country until such belligerent shall restore to such American vessels and American citizens reciprocal liberty of commerce and equal facilities of trade; or the President may direct that similar privileges and facilities, if any, enjoyed by vessels or citizens of such belligerent in the United States or its possessions be refused to vessels or citizens of such belligerent; and in such case he shall make proclamation of his direction, stating the facilities and privileges which shall be refused, and the belligerent to whose vessels or citizens they are to be refused, and thereafter the furnishing of such prohibited privileges and facilities to any vessel or citizen of the belligerent named in such proclamation shall be unlawful; and he may change, modify, revoke, or renew such proclamation; and any person or persons who shall furnish or attempt to conspire to furnish or be concerned in furnishing or in the concealment of furnishing facilities or privileges to ships or persons contrary to the prohibition in such proclamation shall be liable to a fine of not less than \$2,000 nor more than \$50,000, or to imprisonment not to exceed two years, or both, in the discretion of the court. *Id.* 800.

1469f. *Same—Penalty for vessels departing without clearance.*—In case any vessel which is detained by virtue of this Act shall depart or attempt to depart from the jurisdiction of the United States without clearance or other lawful authority, the owner or master or person or persons having charge or command of such vessel shall be severally liable to a fine of not less than \$2,000 nor more than \$10,000, or to imprisonment not exceed two years, or both, and in addition, such vessel shall be forfeited to the United States. *Id.*

1469g. *Same—President authorized to use land or naval forces for enforcement of Act.*—The President of the United States is hereby authorized and empowered to employ such part of the land or naval forces of the United States as shall be necessary to carry out the purpose of this Act. *Id.*

VESSELS IN PORTS OF THE UNITED STATES.

1469h. *Rules and regulations governing anchorage and movement; taking control and possession of.*—Whenever the President by proclamation or Executive order declares a national emergency to exist by reason of actual or threatened war, insurrection, or invasion, or disturbance or threatened disturbance of the international relations of the United States, the Secretary of the Treasury may make, subject to the approval of the President, rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, may inspect such vessel at

any time, place guards thereon, and, if necessary in his opinion in order to secure such vessels from damage or injury, or to prevent damage or injury to any harbor or waters of the United States, or to secure the observance of the rights and obligations of the United States, may take, by and with the consent of the President, for such purposes, full possession and control of such vessel and remove therefrom the officers and crew thereof and all other persons not specially authorized by him to go or remain on board thereof. *Title II, Sec. 1, Act of June 15, 1917 (40 Stat. 220).*

1469i. *Same—Powers of Governor of Canal Zone as to.*—Within the territory and waters of the Canal Zone the Governor of the Panama Canal, with the approval of the President, shall exercise all the powers conferred by this section on the Secretary of the Treasury. *Id.*

1469j. *Same—Failure to comply with rules and regulations; seizure and forfeiture of vessel, etc.*—If any owner, agent, master, officer, or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given by the Secretary of the Treasury or the Governor of the Panama Canal under the provisions of this title, or obstructs or interferes with the exercise of any power conferred by this title, the vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and the person guilty of such failure, obstruction, or interference shall be fined not more than \$10,000, or imprisoned not more than two years, or both. *Sec. 2, id.*

1469k. *Same—Destruction or injury of vessels; use of vessels as resort for persons conspiring against United States, etc.; punishment.*—It shall be unlawful for the owner or master or any other person in charge or command of any private vessel, foreign or domestic, or for any member of the crew or other person, within the territorial waters of the United States, willfully to cause or permit the destruction or injury of such vessel or knowingly to permit said vessel to be used as a place of resort for any person conspiring with another or preparing to commit any offense against the United States, or in violation of the treaties of the United States or of the obligations of the United States under the law of nations, or to defraud the United States, or knowingly to permit such vessels to be used in violation of the rights and obligations of the United States under the law of nations; and in case such vessel shall be so used, with the knowledge of the owner or master or other person in charge or command thereof, the vessel, together with her tackle, apparel, furniture, and equip-

ment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and whoever violates this section shall be fined not more than \$10,000 or imprisoned not more than two years, or both. *Sec. 3, id.*

1469l. *Same—Employment of land or naval forces for enforcement of title.*—The President may employ such part of the land or naval forces of the United States as he may deem necessary to carry out the purpose of this title. *Sec. 4, id.*

(For general provisions of this act applicable to this title, see paragraphs 1475q–1475t.)

1469m. *Injuring vessels engaged in foreign commerce, punishment.*—Whoever shall set fire to any vessel of foreign registry, or any vessel of American registry entitled to engage in commerce with foreign nations, or to any vessel of the United States as defined in section three hundred and ten¹ of the Act of March fourth, nineteen hundred and nine, entitled “An Act to codify, revise, and amend the penal laws of the United States,” or to the cargo of the same, or shall tamper with the motive power or instrumentalities of navigation of such vessel, or shall place bombs or explosives in or upon such vessel, or shall do any other act to or upon such vessel while within the jurisdiction of the United States, or, if such vessel is of American registry, while she is on the high sea, with intent to injure or endanger the safety of the vessel or of her cargo, or of persons on board, whether the injury or danger is so intended to take place within the jurisdiction of the United States, or after the vessel shall have departed therefrom; or whoever shall attempt or conspire to do any such acts with such intent, shall be fined not more than \$10,000 or imprisoned not more than twenty years, or both. *Title III, Sec. 1, id., 221.*

(For general provisions of this act applicable to this title, see paragraphs 1475q–1475t.)

1469n. *Interference with foreign commerce by violent means; punishment.*—Whoever, with intent to prevent, interfere with, or obstruct or attempt to prevent, interfere with, or obstruct the exportation to foreign countries of articles from the United States shall injure or destroy, by fire or explosives, such articles or the places where they may be while in such foreign commerce, shall be fined not more than \$10,000, or imprisoned not more than ten years, or both. *Title IV, Sec. 1, id.*

(For general provisions of this act applicable to this title, see paragraphs 1475q–1475t.)

¹ See 35 Stat. 1148.

ENFORCEMENT OF NEUTRALITY.

1469o. *Withholding clearance papers from vessels.*—During a war in which the United States is a neutral nation, the President, or any person thereunto authorized by him, may withhold clearance from or to any vessel, domestic or foreign, which is required by law to secure clearance before departing from port or from the jurisdiction of the United States, or, by service of formal notice upon the owner, master, or person in command or having charge of any domestic vessel not required by law to secure clearances before so departing, to forbid its departure from port or from the jurisdiction of the United States, whenever there is reasonable cause to believe that any such vessel, domestic or foreign, whether requiring clearance or not, is about to carry fuel, arms, ammunition, men, supplies, dispatches, or information to any warship, tender, or supply ship of a foreign belligerent nation in violation of the laws, treaties, or obligations of the United States under the law of nations; and it shall thereupon be unlawful for such vessel to depart. *Title V, Sec. 1, id.*

1469p. *Detention of armed vessels.*—During a war in which the United States is a neutral nation, the President, or any person thereunto authorized by him, may detain any armed vessel owned wholly or in part by American citizens, or any vessel, domestic or foreign (other than one which has entered the ports of the United States as a public vessel), which is manifestly built for warlike purposes or has been converted or adapted from a private vessel to one suitable for warlike use, until the owner or master, or person having charge of such vessel, shall furnish proof satisfactory to the President, or to the person duly authorized by him, that the vessel will not be employed by the said owners, or master, or person having charge thereof, to cruise against or commit or attempt to commit hostilities upon the subjects, citizens, or property of any foreign prince or state, or of any colony, district, or people with which the United States is at peace and that the said vessel will not be sold or delivered to any belligerent nation, or to an agent, officer, or citizen of such nation, by them or any of them, within the jurisdiction of the United States, or, having left that jurisdiction, upon the high seas. *Sec. 2, id.*

1469q. *Sending out armed vessels with intent to deliver same to belligerents.*—During a war in which the United States is a neutral nation, it shall be unlawful to send out of the jurisdiction of the United States any vessel built, armed, or equipped as a vessel of war, or converted from a private vessel into a vessel of war, with any intent or under any agreement or contract, written or oral, that such vessel shall be delivered to a belligerent nation, or to an agent, officer, or citizen of such nation, or with reasonable cause to believe that the said vessel shall or will be employed in the service

of any such belligerent nation after its departure from the jurisdiction of the United States. *Sec. 3, id., 222.*

1469r. *Statement from master of vessel that cargo will not be delivered to other vessels, etc., additional to requirements of secs. 4197, 4198, and 4200, R. S.*—During a war in which the United States is a neutral nation, in addition to the facts required by sections forty-one hundred and ninety-seven, forty-one hundred and ninety-eight, and forty-two hundred of the Revised Statutes to be set out in the masters' and shippers' manifests before clearance will be issued to vessels bound to foreign ports, each of which sections of the Revised Statutes is hereby declared to be and is continued in full force and effect, every master or person having charge or command of any vessel, domestic or foreign, whether requiring clearance or not, before departure of such vessel from port shall deliver to the collector of customs for the district wherein such vessel is then located a statement duly verified by oath, that the cargo or any part of the cargo is or is not to be delivered to other vessels in port or to be transshipped on the high seas and, if it is to be so delivered or transshipped, stating the kind and quantities and the value of the total quantity of each kind of article so to be delivered or transshipped, and the name of the person, corporation, vessel, or government, to whom the delivery or transshipment is to be made; and the owners, shippers, or consignors of the cargo of such vessel shall in the same manner and under the same conditions deliver to the collector like statements under oath as to the cargo or the parts thereof laden or shipped by them, respectively. *Sec. 4, id.*

1469s. *Forbidding departure of vessels, when.*—Whenever it appears that the vessel is not entitled to clearance or whenever there is reasonable cause to believe that the additional statements under oath required in the foregoing section are false, the collector of customs for the district in which the vessel is located may, subject to review by the Secretary of Commerce, refuse clearance to any vessel, domestic or foreign, and by formal notice served upon the owners, master, or person or persons in command or charge of any domestic vessel for which clearance is not required by law, forbid the departure of the vessel from the port or from the jurisdiction of the United States; and it shall thereupon be unlawful for the vessel to depart. *Sec. 5, id.*

1469t. *Unlawful taking of vessel out of port, punishment.*—Whoever, in violation of any of the provisions of this title, shall take, or attempt or conspire to take, or authorize the taking of any such vessel, out of port or from the jurisdiction of the United States, shall be fined not more than \$10,000 or imprisoned not more than five years, or both; and, in addition, such vessel, her tackle, apparel,

furniture, equipment, and her cargo shall be forfeited to the United States. *Sec. 6, id.*

1469u. *Leaving jurisdiction, etc., by interned person of armed land or naval forces of belligerent nations; arrest and punishment.*—Whoever, being a person belonging to the armed land or naval forces of a belligerent nation or belligerent faction of any nation and being interned in the United States, in accordance with the law of nations, shall leave or attempt to leave said jurisdiction, or shall leave or attempt to leave the limits of internment in which freedom of movement has been allowed, without permission from the proper official of the United States in charge, or shall willfully overstay a leave of absence granted by such official, shall be subject to arrest by any marshal or deputy marshal of the United States, or by the military or naval authorities thereof, and shall be returned to the place of internment and there confined and safely kept for such period of time as the official of the United States in charge shall direct; and whoever, within the jurisdiction of the United States and subject thereto, shall aid or entice any interned person to escape or attempt to escape from the jurisdiction of the United States, or from the limits of internment prescribed, shall be fined not more than \$1,000 or imprisoned not more than one year, or both. *Sec. 7, id., 223.*

1469v. *Employment of land or naval forces for enforcement of title.*—The President may employ such part of the land or naval forces of the United States as he may deem necessary to carry out the purposes of this title. *Sec. 9, id.*

(For section 8 of this title see paragraph 1471a, post.)

1469w. *Neutrality resolution of March 4, 1915, repealed.*—The joint resolution approved March fourth, nineteen hundred and fifteen,¹ “To empower the President to better enforce and maintain the neutrality of the United States,” and any Act or parts of Acts in conflict with the provisions of this title are hereby repealed. *Sec. 11, id.*

(For section 10 of this title see paragraph 1473a; and for general provisions of this act applicable to this title see paragraphs 1475q–1475t.)

1471a. *Organizing military expedition against friendly power, punishment.*—Whoever, within the territory or jurisdiction of the United States or of any of its possessions, knowingly begins or sets on foot or provides or prepares a means for or furnishes the money for, or who takes part in, any military or naval expedition or enterprise to be carried on from thence against the territory or dominion of any foreign prince or state, or of any colony, district, or people with whom the United States is at peace, shall be fined not more than \$3,000 or imprisoned not more than three years, or both. *Title V,*

¹ Paragraphs 1469a and 1469b, ante, repealed.

Sec. 8, Act of June 15, 1917 (40 Stat. 223), amending Sec. 13, Act of Mar. 4, 1909, Criminal Code (35 Stat. 1090).

1472a. *Same—President authorized to use land or naval forces to prevent violation.*—The President of the United States be, and he is hereby, authorized and empowered to employ such part of the land or naval forces of the United States as shall be necessary to carry out the purposes of this resolution. *Joint resolution No. 14, Mar. 4, 1915 (38 Stat. 1226).*

1472b. *Same—Extends to all land and water, continental or insular, within jurisdiction of United States.*—The provisions of this resolution shall be deemed to extend to all land and water, continental or insular, within the jurisdiction of the United States. *Id. 1227.*

1473a. *Compelling foreign vessels to depart, etc.*—It shall be lawful for the President to employ such part of the land or naval forces of the United States, or of the militia thereof, as he may deem necessary to compel any foreign vessel to depart from the United States or any of its possessions in all cases in which, by the law of nations or the treaties of the United States, it ought not to remain, and to detain or prevent any foreign vessel from so departing in all cases in which, by the law of nations or the treaties of the United States, it is not entitled to depart. *Title V, Sec. 10, Act of June 15, 1917 (40 Stat. 223), amending Sec. 15, Act of Mar. 4, 1909, Criminal Code (35 Stat. 1091).*

MEXICO.

1475a. *Employment of armed force in, by President justified.*—The President is justified in the employment of the armed forces of the United States to enforce his demand for unequivocal amends for certain affronts and indignities committed against the United States. *Joint resolution No. 10, Apr. 22, 1914 (38 Stat. 770).*

1475b. *Same—Hostility to Mexican people disclaimed.*—The United States disclaims any hostility to the Mexican people or any purpose to make war upon Mexico. *Id.*

SEIZURE OF ARMS AND OTHER ARTICLES INTENDED FOR EXPORT.

1475c. *Authority to make seizure.*—Whenever an attempt is made to export or ship from or take out of the United States, any arms or munitions of war, or other articles, in violation of law, or whenever there shall be known or probable cause to believe that any such arms or munitions of war, or other articles, are being or are intended to be exported, or shipped from, or taken out of the United States, in violation of law, the several collectors, naval officers, surveyors, inspectors of customs, and marshals, and deputy marshals of the

United States, and every other person duly authorized for the purpose by the President, may seize and detain any articles or munitions of war about to be exported or shipped from, or taken out of the United States, in violation of law, and the vessels or vehicles containing the same, and retain possession thereof until released or disposed of as hereinafter directed. *Title VI, Sec. 1, Act of June 15, 1917 (40 Stat. 223).*

1475c¹. *Same—Forfeiture to United States.*—If upon due inquiry as hereinafter provided, the property seized shall appear to have been about to be so unlawfully exported, shipped from, or taken out of the United States, the same shall be forfeited to the United States. *Id.*, 224.

1475d. *Same—Application for warrant, issue of warrant.*—It shall be the duty of the person making any seizure under this title to apply, with due diligence, to the judge of the district court of the United States, or to the judge of the United States district court of the Canal Zone, or to the judge of a court of first instance in the Philippine Islands, having jurisdiction over the place within which the seizure is made, for a warrant to justify the further detention of the property so seized, which warrant shall be granted only on oath or affirmation showing that there is known or probable cause to believe that the property seized is being or is intended to be exported or shipped from or taken out of the United States in violation of law; and if the judge refuses to issue the warrant, or application therefor is not made by the person making the seizure within a reasonable time, not exceeding ten days after the seizure, the property shall forthwith be restored to the owner or person from whom seized. *Sec. 2, id.*

1475e. *Same—Custody of property seized.*—If the judge is satisfied that the seizure was justified under the provisions of this title and issues his warrant accordingly, then the property shall be detained by the person seizing it until the President, who is hereby expressly authorized so to do, orders it to be restored to the owner or claimant, or until it is discharged in due course of law on petition of the claimant, or on trial of condemnation proceedings, as hereinafter provided. *Id.*

1475f. *Same—Petition of owner for restoration, hearing.*—The owner or claimant of any property seized under this title may, at any time before condemnation proceedings have been instituted, as hereinafter provided, file his petition for its restoration in the district court of the United States, or the district court of the Canal Zone, or the court of first instance in the Philippine Islands, having jurisdiction over the place in which the seizure was made, whereupon the court shall advance the cause for hearing and determination with all possible dispatch, and, after causing notice to

be given to the United States attorney for the district and to the person making the seizure, shall proceed to hear and decide whether the property seized shall be restored to the petitioner or forfeited to the United States. *Sec. 3, id.*

1475g. Same—Libel of property, sale of property.—Whenever the person making any seizure under this title applies for and obtains a warrant for the detention of the property, and (a) upon the hearing and determination of the petition of the owner or claimant restoration is denied, or (b) the owner or claimant fails to file a petition for restoration within thirty days after the seizure, the United States attorney for the district wherein it was seized, upon direction of the Attorney General, shall institute libel proceedings in the United States district court or the district court of the Canal Zone or the court of first instance of the Philippine Islands having jurisdiction over the place wherein the seizure was made, against the property for condemnation; and if, after trial and hearing of the issues involved, the property is condemned, it shall be disposed of by sale, and the proceeds thereof, less the legal costs and charges, paid into the Treasury. *Sec. 4, id.*

1475h. Same—Procedure on petition of owner and in libel.—The proceedings in such summary trials upon the petition of the owner or claimant of the property seized, as well as in the libel cases herein provided for, shall conform, as near as may be, to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in such libel cases, and all such proceedings shall be at the suit of and in the name of the United States. *Sec. 5, id.*

1475i. Same—Bond for redelivery of the property.—Upon the payment of the costs and legal expenses of both the summary trials and the libel proceedings herein provided for, and the execution and delivery of a good and sufficient bond in an amount double the value of the property seized, conditioned that it will not be exported or used or employed contrary to the provisions of this title, the court, in its discretion, may direct that it be delivered to the owners thereof or to the claimants thereof. *Id.*, 225.

1475j. Same—Operation of title.—Except in those cases in which the exportation of arms and munitions of war or other articles is forbidden by proclamation or otherwise by the President, as provided in section one of this title, nothing herein contained shall be construed to extend to, or interfere with any trade in such commodities, conducted with any foreign port or place wheresoever, or with any other trade which might have been lawfully carried on before the passage of this title, under the law of nations, or under the treaties or conventions entered into by the United States, or under the laws thereof. *Sec. 6, id.*

1475k. *Same—Release of property on payment of costs, etc.*—Upon payment of the costs and legal expenses incurred in any such summary trial for possession or libel proceedings, the President is hereby authorized, in his discretion, to order the release and restoration to the owner or claimant, as the case may be, of any property seized or condemned under the provisions of this title. *Sec. 7, id.*

1475l. *Same—Enforcement of title.*—The President may employ such part of the land or naval forces of the United States as he may deem necessary to carry out the purposes of this title. *Sec. 8, id.*

(For general provisions of this act applicable to this title, see paragraphs 1475q-1475t.)

CERTAIN EXPORTS IN TIME OF WAR UNLAWFUL.

1475m. *Proclamation by the President as to.*—Whenever during the present war the President shall find that the public safety shall so require, and shall make proclamation¹ thereof, it shall be unlawful to export from or ship from or take out of the United States to any country named in such proclamation any article or articles mentioned in such proclamation, except at such time or times, and under such regulations and orders, and subject to such limitations and exceptions as the President shall prescribe, until otherwise ordered by the President or by Congress: *Provided, however,* That no preference shall be given to the ports of one State over those of another. *Title VII, Sec. 1, Act of June 15, 1917 (40 Stat. 225.)*

1475n. *Same—Punishment for exportation, etc.*—Any person who shall export, ship, or take out, or deliver or attempt to deliver for export, shipment, or taking out, any article in violation of this title, or of any regulation or order made hereunder, shall be fined not more than \$10,000, or, if a natural person, imprisoned for not more than two years, or both; and any article so delivered or exported, shipped, or taken out, or so attempted to be delivered or exported, shipped, or taken out, shall be seized and forfeited to the United States; and any officer, director, or agent of a corporation who participates in any such violation shall be liable to like fine or imprisonment, or both. *Sec. 2, id.*

1475o. *Same—Refusal of clearance to vessels.*—Whenever there is reasonable cause to believe that any vessel, domestic or foreign, is about to carry out of the United States any article or articles in violation of the provisions of this title, the collector of customs for the district in which such vessel is located is hereby authorized and empowered, subject to review by the Secretary of Commerce, to refuse clearance to any such vessel, domestic or foreign, for which

¹ See proclamations of the President of July 9, August 27, and September 7, 1917.

clearance is required by law, and by formal notice served upon the owners, master, or person or persons in command or charge of any domestic vessel for which clearance is not required by law, to forbid the departure of such vessel from the port, and it shall thereupon be unlawful for such vessel to depart. *Sec. 3, id.*

1475p. *Same—Punishment for taking, etc., such vessels out of port, etc.*—Whoever, in violation of any of the provisions of this section shall take, or attempt to take, or authorize the taking of any such vessel, out of port or from the jurisdiction of the United States, shall be fined not more than \$10,000 or imprisoned not more than two years, or both; and, in addition, such vessel, her tackle, apparel, furniture, equipment, and her forbidden cargo shall be forfeited to the United States. *Id.*

(For general provisions of this act applicable to the title, see paragraphs 1475q-1475t.)

GENERAL PROVISIONS.

1475q. *United States defined.*—The term "United States" as used in this Act includes the Canal Zone and all territory and waters, continental or insular, subject to the jurisdiction of the United States. *Title XIII, Sec. 1, id., 231.*

(For Title XII of this act see paragraphs 253a-253e, ante.)

1475r. *Jurisdiction of offenses.*—The several courts of first instance in the Philippine Islands and the district court of the Canal Zone shall have jurisdiction of offenses under this Act committed within their respective districts, and concurrent jurisdiction with the district courts of the United States of offenses under this Act committed upon the high seas, and of conspiracies to commit such offenses, as defined by section thirty-seven¹ of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States," approved March fourth, nineteen hundred and nine, and the provisions of said section, for the purpose of this Act, are hereby extended to the Philippine Islands and to the Canal Zone. In such cases the district attorneys of the Philippine Islands and of the Canal Zone shall have the powers and perform the duties provided in this Act for United States attorneys. *Sec. 2, id.*

1475s. *Prosecutions under prior laws, repealed, etc.*—Offenses committed and penalties, forfeitures, or liabilities incurred prior to the taking effect hereof under any law embraced in or changed, modified, or repealed by any chapter of this Act may be prosecuted and punished, and suits and proceedings for causes arising or acts done or committed prior to the taking effect hereof may be commenced and

¹ 36 Stat. 1098.

prosecuted, in the same manner and with the same effect as if this Act had not been passed. *Sec. 3, id.*

1475t. *Effect of partial invalidity of Act.*—If any clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered. *Sec. 4, id.*

CHAPTER XXXV.

PENSION LAWS.

Par.	Par.
Military and naval insurance_ 1483a-	Same—Fees, allowances, and
1483aaaaa	salaries of_ 1483p
Bureau of War-Risk Insurance;	Evidence of marriage of claim-
director, salary_ 1483a	ants_ 1483q
Division of Military and Naval	Same—Legal marriage accord-
Insurance and Marine and	ing to law of domicile_ 1483r
Seamen's Insurance; commis-	Presumption of allotments and
sioners, salary_ 1483b	family allowances_ 1483s
Certain sections applicable only	Child defined_ 1483t
to Division of Marine and Sea-	Grandchild defined_ 1483u
men's Insurance_ 1483c	Age limit of children and grand-
General powers and duties of	children unless permanently
director_ 1483d	helpless_ 1483v
Regulations made by director;	Parent defined_ 1483w
rules respecting procedure of	Brother and sister defined_ 1483x
divisions; compensation of	Commissioned officer defined, in-
claim agents and attorneys;	cludes warrant officer_ 1483y
proofs and evidence, etc_ 1483e	Men and enlisted men defined_ 1483z
Deputies, assistants, actuaries,	Enlistment defined_ 1483aa
etc_ 1483f	Commissioner defined_ 1483bb
Service of surgeons of Army and	Injury defined_ 1483cc
Navy_ 1483g	Pay defined_ 1483dd
Advisory board, establishment,	Military or naval forces de-
powers, duties, and compen-	finèd_ 1483ee
sation_ 1483h	Payments to minors, etc_ 1483ff
Subpœnas for witnesses, etc.;	Information, etc., by bureau to
administration of oaths_ 1483i	persons in military or naval
Information and reports of of-	service_ 1483gg
ficials, etc., of United States	Record of insurance held by of-
and States_ 1483j	ficers and enlisted men of
Disobedience to subpœnas, etc.,	military and naval service_ 1483hh
contempt_ 1483k	False statement in claims con-
Same—Fees and mileage of	stitute perjury, punishment_ 1483ii
witnesses_ 1483l	Fraudulent acceptance of pay-
Annual estimate of appropria-	ments under act, punish-
tions for bureau_ 1483m	ment_ 1483jj
Appropriation for expenses_ 1483n	Compensation for death or dis-
Application of civil-service rules	ability_ 1483kk-1483bbb
to employees, exceptions_ 1483o	Payable to whom_ 1483kk

	Par.		Par.
Compensation for death, amounts payable to widow and children.....	1483ll	Examination of persons receiving compensation.....	1483eee
Same—Amount payable to widowed mother.....	1483mm	Same—Personal physician may participate in.....	1483fff
Same—Compensation for death of but one child in absence of compensation for death of husband.....	1483nn	Same—Traveling and other expenses, etc., in connection with.....	1483ggg
Same—Right of widowed mother not dependent on date of widowhood and date of death, etc.....	1483oo	Same—Refusal to submit to, etc.....	1483hhh
Burial expenses, etc., in case of death prior to discharge or resignation.....	1483pp	Same—Compensation to cease during such refusal, etc.....	1483iii
Duration of compensation to widow or widowed mother..	1483qq	Submission to medical or surgical treatment.....	1483jjj
Duration of compensation to child.....	1483rr	Review of awards.....	1483kkk
Compensation to remaining beneficiaries where payment has ceased to some of the beneficiaries.....	1483ss	Time of occurrence of death or disability as affecting right to compensation.....	1483lll
Apportionment of compensation between widow and children not in her custody.....	1483tt	Official record of death as prerequisite to payment of compensation.....	1483mmm
Restriction as to time of marriage, subsequent to receipt of injury.....	1483uu	No compensation for death inflicted as lawful punishment.....	1483nnn
Compensation for disability, amounts.....	1483vv	Effect of dismissal or dishonorable, etc., discharge from service.....	1483ooo
Same—Nurse or attendant where totally disabled.....	1483ww	Time of filing claim as affecting right to compensation.....	1483ppp
Same—Maximum compensation for loss of both feet, hands, or eyes.....	1483xx	Same—Where death or disability occurred after discharge, etc., from service.....	1483qqq
Compensation for partial disability to be percentage of that for total disability.....	1483yy	Same—Extension of time limit.....	1483rrr
Adoption of schedule of ratings of reduced earning capacity for permanent injuries, maximum rating.....	1483zz	Same—Time limit where claimant is minor or under other disability.....	1483sss
Same—Basis of ratings, revision of schedule.....	1483aaa	Payment of compensation and increased compensation prior to date of filing of claim, limitation of time for.....	1483ttt
Medical, surgical, and hospital services and supplies, etc..	1483bbb	Compensation not assignable, and exempt from taxation, process, etc.....	1483uuu
Same—Military or naval control prior to discharge.....	1483ccc	No compensation to person receiving service or retirement pay.....	1483vvv
Amount of monthly compensation dependent upon existing conditions.....	1483ddd	Gratuity and pension laws, when not applicable.....	1483www
		Compensation for death or disability of members of Army or Navy Nurse Corps in lieu of compensation provided by act of Sept. 7, 1916.....	1483xxx

Par.	Par.
Assignment to United States by persons receiving compensation of right of action against third person for injury causing death or disability..... 1483yyy	Expense of administration and excess mortality and disability cost due to war hazards borne by United States..... 1483qqqq
Same—Settlement of action so assigned and disposition of proceeds..... 1483zzz	Premium rates..... 1483rrrr
Military and naval compensation appropriation, payments from..... 1483aaaa	Form of insurance..... 1483ssss
Commissioner of Pensions to administer provisions of section..... 1483bbbb	Same—Conversion of term insurance into other forms.... 1483tttt
Insurance..... 1483cccc-1483aaaaa	Same — Regulations governing such conversion; payment of premiums..... 1483uuuu
Persons entitled to and amount of insurance..... 1483ceccc	Actions on claims under insurance contracts, jurisdiction.. 1483vvvv
Application for insurance, time for making..... 1483dddd	Judgment to include attorney's fees..... 1483wwww
Persons deemed to have applied for insurance in certain amount..... 1483eeee	Unlawful charges or fees for services rendered..... 1483xxxx
Same—Payment to widow, child, or widowed mother..... 1483ffff	Military and naval insurance appropriation, premiums credited to..... 1483yyyy
Same—Total payments not to exceed 240 monthly installments, apportionment of.. 1483gggg	Same—Availability of and payments from..... 1483zzzz
Terms and conditions of insurance contracts, publication of..... 1483hhhh	Punishment for violation of provisions of section..... 1483aaaaa
Insurance not assignable or subject to claims of creditors..... 1483iiii	Widows' pensions..... 1498a-1498g
Same—Payable to whom..... 1483jjjj	Increase in rate of..... 1498a
Same—Payment in installments..... 1483kkkk	Restoration of widow who was dropped on remarriage but has again become a widow, etc..... 1498b
Provision for maturity, continuous installments, cash, loan, paid-up values, etc..... 1483llll	Same—Where pension after second or subsequent marriage accrued to helpless or idiotic child..... 1498c
Calculations based upon American Experience Table of Mortality..... 1483mmmm	Same—Extended to certain widows who are barred under existing law because of remarriage, etc..... 1498d
Change of beneficiaries..... 1483nnnn	Pension to widows married prior to June 27, 1905..... 1498e
Payment where no beneficiary is named..... 1483oooo	Same—Where pension has been granted to helpless or idiotic children..... 1498f
Same—Cash payment to estate where beneficiary does not survive, etc..... 1483pppp	Restrictions as to fee of claim agents under provisions of act.. 1498g
	Rate of pensions to widows of officers or enlisted men of Army, etc., serving in Civil War, etc..... 1498h
	Same—Pension laws not affected..... 1498i

MILITARY AND NAVAL INSURANCE.

1483a. *Bureau of War Risk Insurance, Director, salary.*—There is established in the Treasury Department a Bureau to be known as the Bureau of War Risk Insurance, the director of which shall receive a salary at the rate of \$5,000 per annum. *Sec. 1, Act of Oct. 6, 1917 (40 Stat. 398).*

1483b. *Divisions of Military and Naval Insurance and Marine and Seamen's Insurance; commissioners, salary.*—There be in such bureau a Division of Marine and Seamen's Insurance and a Division of Military and Naval Insurance in charge of a commissioner of Marine and Seamen's Insurance and a commissioner of Military and Naval Insurance, respectively, each of whom shall receive a salary of \$4,000 per annum. *Id.*

1483c. *Certain sections applicable only to Division of Marine and Seamen's Insurance.*—Sections two to seven, inclusive, and section nine, shall be construed to refer only to the Division of Marine and Seamen's Insurance. *Sec. 2-12, id.*

1483d. *General powers and duties of director.*—The director, subject to the general direction of the Secretary of the Treasury, shall administer, execute, and enforce the provisions of this Act, and for that purpose have full power and authority to make rules and regulations, not inconsistent with the provisions of this Act, necessary or appropriate to carry out its purposes, and shall decide all questions arising under the Act, except as otherwise provided in sections five and four hundred and five. *Secs. 2-13, id., 399.*

1483e. *Regulations made by director; rules respecting procedure of divisions; compensation of claim agents and attorneys; proofs and evidence, etc.*—Wherever under any provision or provisions of the Act regulations are directed or authorized to be made, such regulations, unless the context otherwise requires, shall or may be made by the director, subject to the general direction of the Secretary of the Treasury. The director shall adopt reasonable and proper rules to govern the procedure of the divisions, to regulate the matter of the compensation, if any, but in no case to exceed ten per centum, to be paid to claim agents and attorneys for services in connection with any of the matters provided for in articles two, three, and four, and to regulate and provide for the nature and extent of the proofs and evidence and the method of taking and furnishing the same in order to establish the right to benefits of allowance, allotment, compensation, or insurance provided for in this Act, the forms of application of those claiming to be entitled to such benefits, the method of making investigations and medical examinations, and the manner and form of adjudications and awards. *Id.*

1483f. Deputies, assistants, actuaries, etc.—The bureau and its divisions shall have such deputies, assistants, actuaries, clerks, and other employees as may be from time to time provided by Congress. *Sec. 2-14, id.*

1483g. Service of surgeons of Army and Navy.—The bureau shall, by arrangement with the Secretary of War and the Secretary of the Navy, respectively, make use of the services of surgeons in the Army and Navy. *Id.*

1483h. Advisory board, establishment, powers, duties, and compensation.—The Secretary of the Treasury is authorized to establish an advisory board consisting of three members skilled in the practice of insurance against death or disability for the purpose of assisting the Division of Military and Naval Insurance in fixing premium rates and in the adjustment of claims for losses under the contracts of insurance provided for in article four and in adjusting claims for compensation under article three; compensation for the persons so appointed to be determined by the Secretary of the Treasury, but not to exceed \$20 a day each while actually employed. *Id.*

1483i. Subpœnas, etc., for witnesses, etc.; administration of oaths.—For the purposes of this Act, the director, commissioners, and deputy commissioners shall have power to issue subpœnas for and compel the attendance of witnesses within a radius of one hundred miles, to require the production of books, papers, documents, and other evidence, to administer oaths and to examine witnesses upon any matter within the jurisdiction of the bureau. *Sec. 2-15, id.*

1483j. Information and reports of officials, etc., of United States and States.—The director may obtain such information and such reports from officials and employees of the departments of the Government of the United States and of the States as may be agreed upon by the heads of the respective departments. *Id.*

1483k. Disobedience to subpœnas, etc., contempt.—In case of disobedience to a subpœna, the bureau may invoke the aid of any district court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence, and such court, within the jurisdiction of which the inquiry is carried on, may, in case of contumacy or refusal to obey a subpœna issued to any officer, agent, or employee of any corporation or other person, issue an order requiring such corporation or other person to appear before the bureau, or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. *Id.*

1483l. Same—Fees and mileage of witnesses.—Any person so required to attend as a witness shall be allowed and paid the same fees and mileage as are paid witnesses in the district courts of the United States. *Id.*

1483m. *Annual estimate of appropriations for bureau.*—The director shall submit annually to the Secretary of the Treasury estimates of the appropriations necessary for the work of the bureau. *Sec. 2-16, id., 400.*

1483n. *Appropriation for expenses.*—For the purpose of carrying out the provisions of this Act there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$100,000, for the payment of all expenses incident to the work authorized under this Act, including salaries of the director and commissioners and of such deputies, assistants, accountants, experts, clerks, and other employees in the District of Columbia or elsewhere, as the Secretary of the Treasury may deem necessary, traveling expenses, rent and equipment of offices, typewriters and exchange of same, purchase of law books and books of reference, printing and binding to be done at the Government Printing Office, and all other necessary expenses. *Id.*

1483o. *Application of civil service rules to employees, exceptions.*—With the exception of the director, the commissioners, and such special experts as the Secretary of the Treasury may from time to time find necessary for the conduct of the work of the bureau, all employees of the bureau shall be appointed from lists of eligibles to be supplied by the Civil Service Commission and in accordance with the civil-service law. *Id.*

1483p. *Same—Fees, allowances, and salaries of.*—Such fees, allowances, and salaries shall be the same as are paid for similar services in other departments of the Government. *Id.*

(For the ensuing sections of this act see paragraphs 712aa, ante, 1483aaaa, 1483yyyy, 1483zzzz, post.)

1483q. *Evidence of marriage of claimants.*—For the purpose of this amendatory Act the marriage of the claimant to the person on account of whom the claim is made shall be shown—

- (1) By a duly verified copy of a public or church record; or
- (2) By the affidavit of the clergyman or magistrate who officiated; or
- (3) By the testimony of two or more eyewitnesses to the ceremony; or
- (4) By a duly verified copy of the church record of baptism of the children; or
- (5) By the testimony of two or more witnesses who know that the parties lived together as husband and wife, and were recognized as such, and who shall state how long, within their knowledge, such relation continued. *Sec. 2-22, id.*

1483r. *Same—Legal marriage according to law of domicile.*—Marriages, except such as are mentioned in section forty-seven hundred and five of the Revised Statutes, shall be proven in compensation or

insurance cases to be legal marriages according to the law of the place where the parties resided at the time of marriage or at the time when the right to compensation or insurance accrued; and the open and notorious illicit cohabitation of a widow who is a claimant shall operate to terminate her right to compensation or insurance from the commencement of such cohabitation. *Id.*, 401.

1483s. *Presumption of marriage in connection with allotments and family allowances.*—For the purpose of the administration of Article II¹ of this Act marriage shall be conclusively presumed, in the absence of proof, that there is a legal spouse living, if the man and woman have lived together in the openly acknowledged relation of husband and wife during the two years immediately preceding the date of the declaration of war, or the date of enlistment or of entrance into or employment in active service in the military or naval forces of the United States if subsequent to such declaration. *Id.*

1483t. *Child defined.*—On Articles II, III, and IV² of this Act unless the context otherwise requires—

The term “child” includes—

(a) A legitimate child.

(b) A child legally adopted more than six months before the enactment of this amendatory Act or before enlistment or entrance into or employment in active service in the military or naval forces of the United States, whichever of these dates is the later.

(c) A stepchild, if a member of the man's household.

(d) An illegitimate child, but, as to the father, only, if acknowledged by instrument in writing signed by him, or if he has been judicially ordered or decreed to contribute to such child's support, and if such child, if born after December thirty-first, nineteen hundred and seventeen, shall have been born in the United States, or in its insular possessions. *Id.*

1483u. *Grandchild defined.*—The term “grandchild” means a child as above defined of a child as above defined. *Id.*

1483v. *Age limit of children and grandchildren, unless permanently helpless.*—Except as used in section four hundred and one and in section four hundred and two the terms “child” and “grandchild” are limited to unmarried persons either (a) under eighteen years of age, or (b) of any age, if insane, idiotic, or otherwise permanently helpless. *Id.*

1483w. *Parent defined.*—The term “parent” includes a father, mother, grandfather, grandmother, stepfather, and stepmother, either of the person in the service or of the spouse. *Id.*

1483x. *Brother and sister defined.*—The terms “brother” and “sister” include brothers and sisters of the half blood as well as

¹ See paragraphs 712b-712aa, ante.

² See paragraphs 712b-712aa, ante, paragraphs 1483kk-1483bbbb, and 1483cccc-1483aaaa, post.

those of the whole blood, stepbrothers and stepsisters, and brothers and sisters through adoption. *Id.*

1483y. *Commissioned officer defined, includes warrant officer.*—The term “commissioned officer” includes a warrant officer, but includes only an officer in active service in the military or naval forces of the United States. *Id.*

1483z. *Man and enlisted man defined.*—The terms “man” and “enlisted man” mean a person, whether male or female, and whether enlisted, enrolled, or drafted into active service in the military or naval forces of the United States, and includes noncommissioned and petty officers, and members of training camps authorized by law.¹ *Id.*

1483aa. *Enlistment defined.*—The term “enlistment” includes voluntary enlistment, draft, and enrollment in active service in the military or naval forces of the United States. *Id.*

1483bb. *Commissioner defined.*—The term “commissioner” means the Commissioner of Military and Naval Insurance. *Id.*

1483cc. *Injury defined.*—The term “injury” includes disease. *Id.*, 402.

1483dd. *Pay defined.*—The term “pay” means the pay for service in the United States according to grade and length of service, excluding all allowances. *Id.*

1483ee. *Military or naval forces defined.*—The term “military or naval forces” means the Army, the Navy, the Marine Corps, the Coast Guard, the Naval Reserves, the National Naval Volunteers, and any other branch of the United States service while serving pursuant to law with the Army or the Navy. *Id.*

1843ff. *Payments to minors, etc.*—When, by the terms of this amendatory Act, any payment is to be made to a minor, other than a person in the military or naval forces of the United States, or to a person mentally incompetent, such payment shall be made to the person who is constituted guardian or curator by the laws of the State or residence of claimant, or is otherwise legally vested with responsibility or care of the claimant.² *Sec. 2-23, id.*

¹ A drafted man, according to the presidential regulations, is inducted into the military service from the time he is required to report for military service. From that moment he is an enlisted man within the definition of section 22 of the war-risk insurance act of October 6, 1917 (40 Stat., 398), and as such becomes entitled to insurance under Article IV of that act without any physical examination, irrespective of whether he be ill or diseased or otherwise so circumstanced that he would be unable to procure insurance from any private insurance company. (Dig. Opin. J. A. G., February, 1918.)

² Whenever, under the provisions of the war risk insurance act of October 6, 1917 (40 Stat. 398), an allotment is made to a minor, whether the minor be child, brother, sister, or other relative of the allotter, the allotter must designate some adult person to whom the money is to be paid for the minor. It is not necessary that a legal guardian be appointed for such minor. (Dig. Opin. J. A. G., February, 1918.)

1483gg. *Information, etc., by bureau to persons in military or naval service.*—The Bureau of War Risk Insurance, so far as practicable, shall upon request furnish information to and act for persons in the military or naval service, with respect to any contracts of insurance whether with the Government or otherwise, as may be prescribed by regulations. *Sec. 2-24, id.*

1483hh. *Record of insurance held by officers and enlisted men of military and naval service.*—Said bureau may upon request procure from and keep a record of the amount and kind of insurance held by every commissioned and appointive officer and of every enlisted man in the military or naval service of the United States, including the name and principal place of business of the company, society, or organization in which such insurance is held, the date of the policy, amount of premium, name and relationship of the beneficiary, and such other data as may be deemed of service in protecting the interests of the insured and beneficiaries. *Id.*

1483ii. *False statements in claims constitute perjury, punishment.*—Whoever in any claim for family allowance, compensation, or insurance, or in any document required by this Act or by regulation made under this Act, makes any statement of a material fact knowing it to be false, shall be guilty of perjury and shall be punished by a fine of not more than \$5,000, or by imprisonment for not more than two years, or both. *Sec. 2-25, id.*

1483jj. *Fraudulent acceptance of payments under act, punishment.*—If any person entitled to payment of family allowance or compensation under this Act, whose right to such payment under this Act ceases upon the happening of any contingency, thereafter fraudulently accepts any such payment, he shall be punished by a fine of not more than \$2,000, or by imprisonment for not more than one year, or both. *Id.*

(For Article II of this act dealing with allotments and family allowances see paragraphs 712b-712aa, ante.)

COMPENSATION FOR DEATH OR DISABILITY.

1483kk. *Payable, to whom.*—For death or disability resulting from personal injury suffered or disease contracted in the line of duty, by any commissioned officer or enlisted man or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department, the United States shall pay compensation as hereinafter provided; but no compensation shall be paid if the injury or

disease has been caused by his own willful misconduct.¹ *Sec. 2-300, id., 405.*

¹ DECISIONS OF THE DIRECTOR OF THE BUREAU OF WAR-RISK INSURANCE.

PERSONS ENTITLED TO WAR-RISK INSURANCE AND OTHER BENEFITS OF THE ACT OF OCTOBER 6, 1917.

(1) *Field clerks, Quartermaster Corps.*—Field clerks, Quartermaster Corps, are within the terms of the act as enlisted men.

(2) *Army field clerks.*—Army field clerks have the same military status as field clerks, Quartermaster Corps, and are within the terms of the act as enlisted men.

(3) *Members of training camps.*—Members of training camps authorized by law are within the terms of the act.

(4) *Students in aviation camps.*—Students in aviation camps who are enlisted men are within the terms of the act.

(5) *Medical officers, Public Health Service.*—Officers of the Public Health Service when detailed for duty with the Army or Navy are within the terms of the act as officers in the active service of the United States. (See T. D. 8, W. R. (8), as to "contract surgeons.")

(6) *Male nurses, enlisted.*—Male nurses who are enlisted men of the Medical Department are within the terms of the act. (But see T. D. 8, W. R. (9), as to civilians employed as "contract nurses.")

(7) *Retired officers or men ordered to active duty.*—Officers and men on the retired list who are ordered to active duty by the War Department or Navy Department are in active service and are within the terms of the act.

(8) *Personnel of Lighthouse Service.*—The personnel of the Lighthouse Service, transferred to the service and jurisdiction of the War and Navy Departments by Executive order pursuant to the act of August 29, 1916, are within the terms of the act of October 6, 1917.

PERSONS NOT ENTITLED TO THE BENEFITS OF THE ACT OF OCTOBER 6, 1917.

(1) *Cadets at West Point and midshipmen at Annapolis.*—Cadets at West Point and midshipmen at Annapolis who are not assigned to active service are not within the terms of the act.

(2) *Cadets and cadet engineers, Coast Guard.*—Cadets at the Coast Guard Academy and cadet engineers in the Coast Guard who are not assigned to active service are not within the terms of the act.

(3) *Russian Railway Service Corps.*—Men in the Russian Railway Service Corps are not within the terms of the act.

(4) *Draftsmen in Engineer Corps.*—Draftsmen in the Engineer Corps are civilian employees in the Military Establishment obtained by the department through the civil service and are not within the terms of the act.

(5) *Field clerks, Engineer Corps.*—The so-called field clerks in the Engineer Corps are civilian employees who have no military status. They are not within the terms of the act.

(6) *Civilian field clerks, Signal Corps.*—Civilian field clerks, Signal Corps, are civilian employees in the Military Establishment and are not within the terms of the act.

(7) *Postal agents serving in France.*—Postal agents sent to France by the Post Office Department to handle field mail for the troops are civilian employees and are not within the terms of the act.

(8) *Contract surgeons.*—Contract surgeons are civilians under employment by the United States by contract for their personal services as medical attendants to the troops and are not within the terms of the act. (See T. D. 7, W. R. (5), as to medical officers, Public Health Service.)

(9) *Contract nurses.*—Civilians employed as "contract nurses" in the Army or Navy are not within the terms of the act. (But see T. D. 7, W. R. (6), as to enlisted male nurses.)

(33 Treas. Dec. 65-67, T. D. 7, W. R. T. D. 8, W. R., Dec. 12, 1917; War Dept. Bull. 75, Dec. 31, 1917.)

14831l. *Compensation for death, amounts payable to widow and children.*—If death results from injury—

If the deceased leaves a widow or child, or if he leaves a widowed mother dependent upon him for support, the monthly compensation shall be the following amounts:

- (a) For a widow alone, \$25.
- (b) For a widow and one child, \$35.
- (c) For a widow and two children, \$47.50, with \$5 for each additional child up to two.
- (d) If there be no widow, then for one child, \$20.
- (e) For two children, \$30.
- (f) For three children, \$40, with \$5 for each additional child up to two. *Sec. 2-301, id.*

1483mm. *Same—Amount payable to widowed mother.*—For a widowed mother, \$20. The amount payable under this subdivision shall not be greater than a sum which, when added to the total amount payable to the widow and children, does not exceed \$75. *Id.*

1483nn. *Same—Compensation for death of but one child in absence of compensation for death of husband.*—This compensation shall be payable for the death of but one child, and no compensation for the death of a child shall be payable if such widowed mother is in receipt of compensation under the provisions of this article for the death of her husband. *Id.*

1483oo. *Same—Right of widowed mother not dependent on date of widowhood and date of death, etc.*—Such compensation shall be payable whether her widowhood arises before or after the death of the person and whenever her condition is such that if the person were living the widowed mother would have been dependent upon him for support. *Id.*

1483pp. *Burial expenses, etc., in case of death prior to discharge or resignation.*—If the death occur before discharge or resignation from service, the United States shall pay for burial expenses and the return of body to his home a sum not to exceed \$100, as may be fixed by regulations. *Id.*

1483qq. *Duration of compensation to widow or widowed mother.*—The payment of compensation to a widow or widowed mother shall continue until her death or remarriage. *Id.*

1483rr. *Duration of compensation to child.*—The payment of compensation to or for a child shall continue until such child reaches the age of eighteen years or marries, or if such child be incapable, because of insanity, idiocy, or being otherwise permanently helpless, then during such incapacity. *Id.*

1483ss. *Compensation to remaining beneficiaries where payment has ceased to some of the beneficiaries.*—Whenever the compensation payable to or for the benefit of any person under the provisions of this section is terminated by the happening of the contingency upon

which it is limited, the compensation thereafter for the remaining beneficiary or beneficiaries, if any, shall be the amount which would have been payable to them if they had been the sole original beneficiaries. *Id.*

1483tt. *Apportionment of compensation between widow and children not in her custody, etc.*—As between the widow and the children not in her custody, and as between children, the amount of the compensation shall be apportioned as may be prescribed by regulations. *Id.*

1483uu. *Restriction as to time of marriage, subsequent to receipt of injury.*—The word "widow" as used in this section shall not include one who shall have married the deceased later than ten years after the time of injury. *Id.*, 406.

1483vv. *Compensation for disability, amounts.*—If disability results from the injury—

If and while the disability is total, the monthly compensation shall be the following amounts:

(a) If he has neither wife nor child living, \$30.

(b) If he has a wife but no child living, \$45.

(c) If he has a wife and one child living, \$55.

(d) If he has a wife and two children living, \$65.

(e) If he has a wife and three or more children living, \$75.

(f) If he has no wife but one child living, \$40, with \$10 for each additional child up to two.

(g) If he has a widowed mother dependent on him for support, then, in addition to the above amounts, \$10. *Sec. 2-302, id.*

1483ww. *Same—Nurse or attendant where totally disabled.*—To an injured person who is totally disabled and in addition so helpless as to be in constant need of a nurse or attendant, such additional sum shall be paid, but not exceeding \$20 per month, as the director may deem reasonable. *Id.*

1483xx. *Same—Maximum compensation for loss of both feet, hands, or eyes.*—For the loss of both feet or both hands or both eyes, or for becoming totally blind or helpless and permanently bedridden from causes occurring in the line of duty in the service of the United States, the rate of compensation shall be \$100 per month: *Provided further,* That no allowance shall be made for nurse or attendant. *Id.*

1483yy. *Compensation for partial disability to be percentage of that for total disability.*—If and while the disability is partial, the monthly compensation shall be a percentage of the compensation that would be payable for his total disability, equal to the degree of the reduction in earning capacity resulting from the disability, but no compensation shall be payable for a reduction in earning capacity rated at less than ten per centum. *Id.*

1483zz. *Adoption of schedule of ratings of reduced earning capacity for permanent injuries, maximum rating.*—A schedule of ratings of reductions in earning capacity from specific injuries or combinations of injuries of a permanent nature shall be adopted and applied by the bureau. Ratings may be as high as one hundred per centum. *Id.*

1483aaa. *Same—Basis of ratings, revision of schedule.*—The ratings shall be based, as far as practicable, upon the average impairments of earning capacity resulting from such injuries in civil occupations and not upon the impairment in earning capacity in each individual case, so that there shall be no reduction in the rate of compensation for individual success in overcoming the handicap of a permanent injury. The bureau shall from time to time readjust this schedule of ratings in accordance with actual experience. *Id.*

1483bbb. *Medical, surgical, and hospital services and supplies, etc.*—In addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services and with such supplies, including artificial limbs, trusses, and similar appliances, as the director may determine to be useful and reasonably necessary. *Id.*

1483ccc. *Same—Military or naval control prior to discharge.*—Nothing in this Act shall be construed to affect the necessary military control over any member of the military or naval establishments before he shall have been discharged from the military or naval service. *Id.*

1483ddd. *Amount of monthly compensation dependent on existing conditions.*—The amount of each monthly payment shall be determined according to the family conditions then existing. *Id.*

1483eee. *Examination of persons receiving compensation.*—Every person applying for or in receipt of compensation for disability under the provisions of this article shall, as frequently and at such times and places as may be reasonably required, submit himself to examination by a medical officer of the United States or by a duly qualified physician designated or approved by the director. *Sec. 2-303, id.*

1483fff. *Same—Personal physician may participate in.*—He may have a duly qualified physician designated and paid by him present to participate in such examination. *Id.*

1483ggg. *Same—Traveling and other expenses, etc., in connection with.*—For all examinations he shall, in the discretion of the director, be paid his reasonable traveling and other expenses and also loss of wages incurred in order to submit to such examination. *Id.*

1483hhh. *Same—Refusal to submit to, etc.*—If he refuses to submit himself for, or in any way obstructs, any examination, his right to

dependents, except in so far as rights under any such law shall have heretofore accrued.¹ *Id.*

1483xxx. *Compensation for death or disability of members of Army or Navy Nurse Corps in lieu of compensation provided by Act of September 7, 1916.*—Compensation because of disability or death of members of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) shall be in lieu of any compensation for such disability or death under the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September seventh, nineteen hundred and sixteen.² *Id.*

1483yyy. *Assignment to United States by persons receiving compensation of right of action against third person for injury causing death or disability.*—If an injury or death for which compensation is payable under this amendatory Act is caused under circumstances creating a legal liability upon some person other than the United States or the enemy to pay damages therefor, the director, as a condition to payment of compensation by the United States, shall require the beneficiary to assign to the United States any right of action he may have to enforce such liability of such other person or any right which he may have to share in any money or other property received in satisfaction of such liability of such other person. *Sec. 2-313, id.*

1483zzz. *Same—Settlement of action so assigned and disposition of proceeds.*—The cause of action so assigned to the United States may be prosecuted or compromised by the director and any money realized thereon shall be placed to the credit of the compensation fund. *Id.*

(For the ensuing section of this act see paragraphs 1498h, 1498i, 1483bbbb, post).

1483aaaa. *Military and naval compensation appropriation, payments from.*—There is hereby appropriated, from any money in the Treasury not otherwise appropriated, the sum of \$12,150,000, to be known as the military and naval compensation appropriation, for the payment of the compensation, funeral expenses, services, and supplies provided by Article III.³ Payments out of this appropria-

¹ See paragraphs 106¹ and 1062, ante.

No right to a pension has accrued to the wife of a Spanish War veteran now in the service. Section 312 of the war-risk insurance act of October 6, 1917, provides that existing pension laws shall not be applicable to persons now in the service or to their wives, children, or dependents, and, accordingly, prevents the accrual in the future of any such right to a pension. (Dig. Opin. J. A. G., January, 1918.)

The act of May 11, 1908, as amended by the act of March 3, 1909, in so far as it grants a gratuity to designated persons upon the death of a commissioned officer or enlisted man, has been repealed by section 312 of the war-risk insurance act of October 6, 1917. (Dig. Opin. J. A. G., March, 1918.)

² See paragraphs 66a-66111, ante.

³ See paragraphs 1483kk-1483zzz, ante.

tion shall be made upon and in accordance with awards by the director. *Sec. 2-19, id., 400.*

(For the provision of this act immediately preceding this paragraph see paragraph 712aa, ante, and for the ensuing provision see paragraphs 1483yyyy, 1483zzzz, post.)

1483bbbb. Commissioner of Pensions to administer provisions of section.—The provisions of this section shall be administered, executed, and enforced by the Commissioner of Pensions. *Sec. 2-314, id., 408.*

(For the provisions of this act immediately preceding this paragraph see paragraphs 1498h, 1498i, post.)

INSURANCE.

1483cccc. Persons entitled to and amount of insurance.—In order to give to every commissioned officer and enlisted man and to every member of the Army Nurse Corps (female) and of the Navy Nurse Corps (female) when employed in active service under the War Department or Navy Department greater protection for themselves and their dependents than is provided in Article III,¹ the United States, upon application to the bureau and without medical examination, shall grant insurance against the death or total permanent disability of any such person in any multiple of \$500, and not less than \$1,000 or more than \$10,000, upon the payment of the premiums as hereinafter provided.² *Sec. 2-400, id., 409.*

¹ See paragraph 1483kk-1483bbbb, ante.

²DECISIONS OF THE DIRECTOR OF THE BUREAU OF WAR-RISK INSURANCE.

PERSONS ENTITLED TO WAR-RISK INSURANCE, AND OTHER BENEFITS OF THE ACT OF OCTOBER 6, 1917.

(1) *Field clerks, Quartermaster Corps.*—Field clerks, Quartermaster Corps, are within the terms of the act as enlisted men.

(2) *Army field clerks.*—Army field clerks have the same military status as field clerks, Quartermaster Corps, and are within the terms of the act as enlisted men.

(3) *Members of training camps.*—Members of training camps authorized by law are within the terms of the act.

(4) *Students in aviation camps.*—Students in aviation camps who are enlisted men are within the terms of the act.

(5) *Medical officers, Public Health Service.*—Officers of the Public Health Service when detailed for duty with the Army or Navy are within the terms of the act as officers in the active service of the United States. (See T. D. 8, W. R. (8), as to "contract surgeons.")

(6) *Male nurses, enlisted.*—Male nurses who are enlisted men of the Medical Department are within the terms of the act. (But see T. D. 8, W. R. (9), as to civilians employed as "contract nurses.")

(7) *Retired officers or men ordered to active duty.*—Officers and men on the retired list who are ordered to active duty by the War Department or Navy Department are in active service and are within the terms of the act.

(8) *Personnel of Lighthouse Service.*—The personnel of the Lighthouse Service, transferred to the service and jurisdiction of the War and Navy Depart-

1483dddd. *Application for insurance, time of making.*—Such insurance must be applied for within one hundred and twenty days after enlistment or after entrance into or employment in the active service and before discharge or resignation, except that those persons who are in the active war service at the time of the publication of the terms and conditions of such contract of insurance may apply at any time within one hundred and twenty days thereafter and while in such service.¹ *Sec. 2-401, id.*

1483eeee. *Persons deemed to have applied for insurance in certain amount.*—Any person in the active service on or after the sixth day of April, nineteen hundred and seventeen, who, while in such service and before the expiration of one hundred and twenty days from and after such publication, becomes or has become totally and permanently disabled or dies, or has died, without having applied for insurance, shall be deemed to have applied for and to have been granted insurance, payable to such person during his life in monthly installments of \$25 each. *Id.*

ments by Executive Order pursuant to the act of August 29, 1916, are within the terms of the act of October 6, 1917.

PERSONS NOT ENTITLED TO THE BENEFITS OF THE ACT OF OCTOBER 6, 1917.

(1) *Cadets at West Point and Midshipmen at Annapolis.*—Cadets at West Point and midshipmen at Annapolis who are not assigned to active service are not within the terms of the act.

(2) *Cadets and cadet engineers, Coast Guard.*—Cadets at the Coast Guard Academy and cadet engineers in the Coast Guard who are not assigned to active service are not within the terms of the act.

(3) *Russian Railway Service Corps.*—Men in the Russian Railway Service Corps are not within the terms of the act.

(4) *Draftsmen in Engineer Corps.*—Draftsmen in the Engineer Corps are civilian employees in the Military Establishment obtained by the department through the civil service and are not within the terms of the act.

(5) *Field clerks, Engineer Corps.*—The so-called field clerks in the Engineer Corps are civilian employees who have no military status. They are not within the terms of the act.

(6) *Civilian field clerks, Signal Corps.*—Civilian field clerks, Signal Corps, are civilian employees in the Military Establishment and are not within the terms of the act.

(7) *Postal agents serving in France.*—Postal agents sent to France by the Post Office Department to handle field mail for the troops are civilian employees and are not within the terms of the act.

(8) *Contract surgeons.*—Contract surgeons are civilians under employment by the United States by contract for their personal services as medical attendants to the troops and are not within the terms of the act. (See T. D. 7, W. R. (5), as to medical officers, Public Health Service.)

(9) *Contract nurses.*—Civilians employed as "contract nurses" in the Army or Navy are not within the terms of the act. (But see T. D. 7, W. R. (6), as to enlisted male nurses.)

(33 Treas. Dec. 65-67, T. D. 7, W. R. T. D. 8, W. R., Dec. 12, 1917; War Dept. Bull. 75, Dec. 31, 1917.)

Where a man guilty of fraudulent enlistment by reason of concealment of minority has been discharged on account of the fraudulent enlistment, all rights which he acquired by reason of such fraudulent enlistment are voided. Consequently, the Government is entitled to cancel all war-risk insurance applied for by and granted to such man under the act of October 6, 1917 (40 Stat. 398), while he was in the service. (Dig. Opin. J. A. G., February, 1918.)

¹ In forwarding applications for family allowances and for insurance, officers may use penalty envelopes; but these may not be registered without payment of the registration fee. (War Dept. Bull. 75, Dec. 31, 1917.)

1483ffff. *Same—Payment to widow, child, or widowed mother.*—If he shall die either before he shall have received any such monthly installments or before he shall have received two hundred and forty of such monthly installments, then \$25 per month shall be paid to his wife from the time of his death and during her widowhood, or to his child, or widowed mother if and while they survive him. *Id.*

1483gggg. *Same—Total payments not to exceed 240 monthly installments, apportionment of.*—Not more than two hundred and forty of such monthly installments, including those received by such person during his total and permanent disability, shall be so paid; and in that event the amount of the monthly installments shall be apportioned between them as may be provided by regulations. *Id.*

1483hhhh. *Terms and conditions of insurance contracts, publication of.*—The director, subject to the general direction of the Secretary of the Treasury, shall promptly determine upon and publish the full and exact terms and conditions of such contract of insurance. *Sec. 2-402, id.*

1483iiii. *Insurance not assignable or subject to claims of creditors.*—The insurance shall not be assignable, and shall not be subject to the claims of creditors of the insured or of the beneficiary. *Id.*

1483jjjj. *Same—To whom payable.*—It shall be payable only to a spouse, child, grandchild, parent, brother or sister, and also during total and permanent disability to the injured person, or to any or all of them. *Id.*

1483kkkk. *Same—Payment in installments.*—The insurance shall be payable in two hundred and forty equal monthly installments. *Id.*

1483llll. *Provision for maturity, continuous installments, cash, loan, paid-up values, etc.*—Provisions for maturity at certain ages, for continuous installments during the life of the insured or beneficiaries, or both, for cash, loan, paid-up and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. *Id.*

1483mmmm. *Calculations based upon American Experience Table of Mortality.*—All calculations shall be based upon the American Experience Table of Mortality and interest at three and one-half per centum per annum, except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than two hundred and forty months. *Id.*

1483nnnn. *Change of beneficiaries.*—Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries of such insurance without the consent of such beneficiary or beneficiaries, but only within the classes herein provided.¹ *Id.*

1483oooo. *Payment where no beneficiary is named.*—If no beneficiary within the permitted class be designated by the insured, either in his lifetime or by his last will and testament, or if the designated beneficiary does not survive the insured, the insurance shall be payable to such person or persons, within the permitted class of beneficiaries as would under the laws of the State of the residence of the insured, be entitled to his personal property in case of intestacy. *Id.*, 410.

1483pppp. *Same—Cash payment to estate where beneficiary does not survive, etc.*—If no such person survive the insured, then there shall be paid to the estate of the insured an amount equal to the reserve value, if any, of the insurance at the time of his death, calculated on the basis of the American Experience Table of Mortality and three and one-half per centum interest in full of all obligations under the contract of insurance. *Id.*

1483qqqq. *Expense of administration and excess mortality and disability cost due to war hazards borne by United States.*—The United States shall bear the expenses of administration and the excess mortality and disability cost resulting from the hazards of war. *Sec. 2-403, id.*

1483rrrr. *Premium rates.*—The premium rates shall be the net rates based upon the American Experience Table of Mortality and interest at three and one-half per centum per annum. *Id.*

1483ssss. *Form of insurance.*—During the period of war and thereafter until converted the insurance shall be term insurance for successive terms of one year each. *Sec. 2-404, id.*

1483tttt. *Same—Conversion of term insurance into other forms.*—Not later than five years after the date of the termination of the war as declared by proclamation of the President of the United States, the term insurance shall be converted, without medical examination, into such form or forms of insurance as may be prescribed by regulations and as the insured may request. *Id.*

¹A subject of Germany, and a subject of Austria, now enlisted in the military service of the United States, may name as beneficiaries under the war-risk insurance act (40 Stat. 398, 409) persons within the designated class of beneficiaries who are residents of Austria. It is immaterial that such beneficiaries are alien enemies, since by the act the right to name as beneficiaries any persons within the designated class is given without qualification to all officers and enlisted men. Whether upon maturity of the policy immediate remittance of the installments due should be made to such a beneficiary would depend upon considerations of a political rather than a legal character. (Dig. Opin. J. A. G., February, 1918.)

1483uuuu. *Same—Regulations governing such conversion; payment of premiums.*—Regulations shall provide for the right to convert into ordinary life, twenty payment life, endowment maturing at age sixty-two and into other usual forms of insurance and shall prescribe the time and method of payment of the premiums thereon, but payments of premiums in advance shall not be required for periods of more than one month each and may be deducted from the pay or deposit of the insured or be otherwise made at his election.¹ *Id.*

1483vvvv. *Actions on claims under insurance contracts, jurisdiction.*—In the event of disagreement as to a claim under the contract of insurance between the bureau and any beneficiary or beneficiaries thereunder, an action on the claim may be brought against the United States in the district court of the United States in and for the district in which such beneficiaries or any one of them resides. *Sec. 2-405 id.*

1483wwww. *Judgment to include attorney's fees.*—The court, as part of its judgment, shall determine and allow such reasonable attorney's fees, not to exceed ten per centum of the amount recovered, to be paid by the claimant on behalf of whom such proceedings are instituted to his attorney; and it shall be unlawful for the attorney or for any other person acting as claim agent or otherwise to ask for, contract for, or receive any other compensation because of such action. *Id.*

¹ If a man who has taken out war risk insurance, under the act of October 6, 1917 (40 Stat. 398), dies at a time when his pay is stopped under the provisions of G. O. 45, W. D., 1914, because of his absence from duty on account of disease resulting from his intemperate use of drugs or alcohol or other misconduct, the rights of his beneficiary depend on the circumstances of the particular case as to the payment of premiums. If the death occurred during a part of a month for which part the premium was not paid and before the premium therefor was due, the beneficiary would be entitled to the face value of the policy less one month's premium. If death occurred within 31 days after the premium became due and more than 1 calendar month after the period covered by previously paid premiums, the beneficiary would be entitled to the face value of the policy less the premiums for 2 month's insurance. If the death occurred more than 31 days after the due date of the premium and the premium was still unpaid, the beneficiary would receive nothing.

If a soldier is returned to duty and released from further operation of G. O. 45, W. D., 1914, within 31 days after the premium on his war risk insurance is due, the lapsed premium may be deducted from his pay in order that he may receive the full benefits of such insurance. If, however, the premium has remained unpaid for more than 31 days after the due date, the enlisted man must seek reinstatement. In the absence of regulations by the Bureau of War Risk Insurance, he should tender to such bureau the amount of the lapsed premium, with interest at the rate of 6 per centum per annum, with a written request for reinstatement. In this manner there would be saved to him whatever rights he might have under the circumstances. In the event that upon the due date of any such premium, the United States owes the soldier on account of pay or deposit an amount sufficient to pay the premium, the premium will be treated as paid. In accordance with the express provision of the policy. (Dig. Opin. J. A. G., February, 1918.)

1483xxxx. *Unlawful charges or fees for services rendered.*—No other compensation or fee shall be charged or received by any person except such as may be authorized by the commissioner in regulations to be promulgated by him. *Id.*

(For the ensuing provision of this section see paragraph 1483aaaaa, post.)

1483yyyy. *Military and naval insurance appropriation, premiums credited to.*—There is hereby appropriated, from any money in the Treasury not otherwise appropriated, the sum of \$23,000,000, to be known as the military and naval insurance appropriation. All premiums that may be collected for the insurance provided by the provisions of Article IV¹ shall be deposited and covered into the Treasury to the credit of this appropriation. *Sec. 2-20, id., 400.*

1483zzzz. *Same—Availability of and payments from.*—Such sum, including all premium payments, is hereby made available for the payment of the liabilities of the United States incurred under contracts of insurance made under the provisions of Article IV.¹ Payments from this appropriation shall be made upon and in accordance with awards by the director. *Id.*

1483aaaaa. *Punishment for violation of provisions of section.*—Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every such offense, be fined not exceeding \$500, or be imprisoned at hard labor not exceeding two years, or both, in the discretion of the court. *Sec. 2-405, id., 410.*

(For the provision of this section immediately preceding this paragraph see paragraph 1483xxxx, ante, and for section 3 of this act see paragraph 350d, 350e, 352a, 373a, ante.)

WIDOWS' PENSIONS.

1498a. *Increase in rate of.*—From and after the passage of the Act the rate of pension for a widow, now on the roll or hereafter to be placed on the pension roll and entitled to receive a less rate than hereinafter provided, who was the lawful wife of any officer or enlisted man in the Army, Navy, or Marine Corps of the United States, during the period of his services in the Civil War, shall be \$20 per month, and the rate of pension for a widow of an officer or enlisted man of the Army, Navy, or Marine Corps of the United States who served in the Civil War, the War with Mexico, or the War of Eighteen hundred and twelve, now on the roll or hereafter to be placed on the pension roll and entitled to receive a less rate than hereafter provided, who has reached or shall hereafter reach the age of seventy years shall be \$20 per month; and nothing herein shall be construed to affect the existing allowance of \$2 per month for each child under the age of sixteen years and for each helpless child; and

¹ See paragraphs 1483cccc-1483xxxx, ante.

all Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed: *Provided, however*, That this Act shall not be so construed as to reduce any pension under any Act, public or private. *Sec. 1, Act of Sept. 8, 1916 (39 Stat. 844).*

1498b. *Restoration of widow who was dropped on remarriage but has again become a widow, etc.*—Any widow of an officer or enlisted man who served in the Army, Navy, or Marine Corps of the United States during the Civil War whose name was placed or shall hereafter be placed on the pension roll, under any existing law, and whose name has been or shall hereafter be dropped from said pension roll by reason of her marriage to another person who has since died or shall hereafter die, or from whom she has been heretofore or shall be hereafter divorced upon her own application and without fault on her part, shall be entitled to have her name again placed on the pension roll at the rate allowed by the law under which she was formerly pensioned, and the law or laws amendatory thereof, unless she be entitled to a greater rate of pension under the provisions of section one of this Act, such pension to commence from the date of filing her application in the Bureau of Pensions after the passage of this Act. *Sec. 2, id., 845.*

1498c. *Same—Where pension after second or subsequent marriage accrued to helpless or idiotic child.*—Where the pension of said widow on her second or subsequent marriage has accrued to a helpless or idiotic child, or a child or children under the age of sixteen years, she shall not be entitled to renewal under this Act unless said helpless or idiotic child, or child or children under sixteen years of age, be then a member or members of her family and cared for by her, and upon the renewal of pension to said widow payment of pension to said child or children shall cease. *Id.*

1498d. *Same—Extended to certain widows who were barred under existing law because of remarriage, etc.*—The provisions of this Act shall be extended to those widows, otherwise entitled, whose husbands died of wounds, injuries, or disease incurred during the period of their military or naval service, but who were deprived of pensions under the Act of March third, eighteen hundred and sixty-five, because of their failure to draw any pensions by reason of their remarriage, and to any person who was lawfully married to an officer or enlisted man, who served in the Army, Navy, or Marine Corps of the United States during the Civil War and was honorably discharged therefrom and has since deceased, and who, having remarried since his death is again a widow, or has been divorced from her last husband upon her own application without fault on her part and who, otherwise entitled, was barred by reason of such remarriage from receiving pension under any existing law. *Id.*

1498e. *Pension to widows married prior to June twenty-seventh, nineteen hundred and five.*—Any widow, as described in section two of the Act approved April nineteenth, nineteen hundred and eight,¹ who married the soldier or sailor prior to June twenty-seventh, nineteen hundred and five, shall have title to pension under the provisions of said section of said Act, to commence from the date of filing her application in the Bureau of Pensions after the passage of this Act. *Sec. 3, id.*

1498f. *Same—Where pension has been granted to helpless or idiotic children.*—Where a pension has been granted to a soldier's or sailor's helpless or idiotic child or children, or child or children under the age of sixteen years, his widow shall not be entitled to pension under this section, unless the pension to such child or children has terminated, or unless such child or children be a member or members of her family and cared for by her, and upon allowance of pension to the widow, payment of pension to such child or children shall cease. *Id.*

1498g. *Restrictions as to fee of claim agents under provisions of Act.*—No claim agent or attorney shall be recognized in the adjudication of claims under the first section of this Act, nor shall any claim agent or attorney be recognized in the adjudication of claims under the second section of this Act for renewal of pension previously allowed, and in claims for original pension under section two of this Act no greater sum than \$10 shall be allowed for services in preparing, presenting, or prosecuting such claim, which sum shall be payable only upon the order of the Commissioner of Pensions under such rules and regulations as he may deem proper to make. *Sec. 4, id.*

1498h. *Rate of pensions to widows of officers or enlisted men of Army, etc., serving in Civil War, etc.*—From and after the passage of this Act the rate of pension for a widow of an officer or enlisted man of the Army, Navy, or Marine Corps of the United States who served in the Civil War, the War with Spain, or the Philippine Insurrection, now on the pension roll or hereafter to be placed on the pension roll, and entitled to receive a less rate than hereinafter provided, shall be \$25 per month; and nothing herein shall be construed to affect the additional allowance provided by existing pension laws on account of a helpless child or child under sixteen years of age. *Sec. 2-314, Act of Oct. 6, 1917 (40 Stat. 408).*

(For the provisions of this act immediately preceding this paragraph see pars. 1483yyy, 1483zzz, ante.)

1498i. *Same—Pension laws not affected.*—This Act shall not be so construed as to reduce any pension under any Act, public or private. *Id.*

(For the ensuing provision of this section see par. 1483bbbb, ante.)

¹ Sec. 2 of Act referred to (35 Stat. 64), provides for a pension for widows of soldiers and sailors who served ninety days, etc., provided the widow shall have married the soldier or sailor prior to June 27, 1890.

CHAPTER XXXVI.

THE SOLDIERS' HOME.

	Par.		Par.
Secretary of War to report branches of National Home for Disabled Volunteer Soldiers which can be discontinued -----	1502a	Pay and allowances of soldiers sentenced to dishonorable discharge during execution of suspended sentence-----	1507a
Persons entitled to benefits of National Home for Disabled Volunteer Soldiers-----	1502b		

1502a. *Secretary of War to report branches of National Home for Disabled Volunteer Soldiers which can be discontinued.*—The Secretary of War is authorized and directed to report to Congress, not later than January first, nineteen hundred and eighteen, what branch or branches of the National Home for Disabled Volunteer Soldiers, if any, can be discontinued without prejudice to the care of the persons entitled to admission to the home. *Act of June 12, 1917 (40 Stat. 140).*

(See historical note following chapter on the Soldiers' Home, pp. 571-572, ante.)

1502b. *Persons entitled to benefits of National Homes for Disabled Volunteer Soldiers.*—So much of the Act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and sixteen, and for other purposes, so far as it designates the classes of persons entitled to the benefits of the National Home for Disabled Volunteer Soldiers, is amended so as to read as follows: The following persons only shall hereafter be entitled to the benefits of the National Home for Disabled Volunteer Soldiers, and may be admitted thereto upon the order of a member of the board of managers, namely: All honorably discharged officers, soldiers, and sailors who served in the regular, volunteer, or other forces of the United States in any war in which the country has been or is engaged, including the Spanish American War, the Provisional Army (authorized by Act of Congress approved

March second, eighteen hundred and ninety-nine), in any of the campaigns against hostile Indians, or who have served in the Philippines, in China, or in Alaska, or in the Organized Militia or National Guard when called into the Federal service to enforce the laws, suppress insurrection, or repel invasion, who are disabled by disease, wounds, or otherwise and have no adequate means of support, and who are not otherwise provided for by law, and by reason of such disability are incapable of earning their living. *Act of Oct. 6, 1917 (40 Stat. 368), amending Act of Mar. 3, 1915 (38 Stat. 853).*

1507a. Pay and allowances of soldiers sentenced to dishonorable discharge during execution of suspended sentence.—Hereafter pay and allowances shall not accrue to a soldier under sentence of dishonorable discharge, during such period as the execution of the sentence of discharge may be suspended under authority of the Act of Congress approved April twenty-seventh, nineteen hundred and fourteen, and pay which has heretofore been forfeited under such suspended sentence shall not be held to have accrued to the Soldiers' Home under the operation of section forty-eight hundred and eighteen, Revised Statutes, but shall be covered back into the Treasury of the United States. *Act of Mar. 4, 1915 (38 Stat. 1065).*

(This provision will also be found under par. 727a.)

CHAPTER XXXVII.

CARE OF THE INSANE.

	Par.		Page.
Revocable permit to St. Elizabeths Hospital to use certain land-----	1524a	Same—Jurisdiction of superintendents over patients so transferred -----	1526c
Admission of insane prisoners of war and interned persons_	1525a	Transfer of part of appropriations from St. Elizabeths Hospital to public hospitals for support, etc., of patients received therein-----	1526d
Transfer to public hospitals of patients entitled to treatment in St. Elizabeths Hospital----	1526a		
Transfer of insane from military hospitals to nearest public hospitals -----	1526b		

1524a. *Revocable permit to Saint Elizabeths Hospital to use certain lands.*—The Secretary of War is authorized to grant a revocable permit to the Saint Elizabeths Hospital for the use of such portions of land as are at present not under lease and such other portions thereof as leases thereof expire, of that portion of land lying along Anacostia Flats which has been reclaimed by the War Department and is valuable for farming purposes. *Act of Oct. 6, 1917 (40 Stat., 373).*

1525a. *Admission of insane prisoners of war and interned persons.*—Interned persons and prisoners of war, under the jurisdiction of the War Department, who are or may become insane hereafter shall be entitled to admission for treatment to Saint Elizabeths Hospital. *Id.*

1526a. *Transfer to public hospitals of patients entitled to treatment in Saint Elizabeths Hospital.*—The Secretary of War is authorized, during the existing emergency, to transfer to the various public hospitals for the care of the insane, patients of every class entitled to treatment in Saint Elizabeths Hospital and that are admitted on order of the Secretary of War. *Id.*

1526b. *Transfer of insane from military hospitals to nearest public hospitals.*—The Secretary of War is authorized to transfer from any military hospital to the nearest available public hospital for the care of the insane any insane patient who is in need of treatment, prefer-

ence being given to the hospital nearest to the place of the patient's enlistment. *Id.*

1526c. Same—Jurisdiction of superintendents over patients so transferred.—The superintendent of such public hospital shall possess the right to retain the aforementioned class of patients in his hospital in the same manner and to the same extent as now possessed by the Superintendent of Saint Elizabeths Hospital. *Id.*

1526d. Transfer of part of appropriations for Saint Elizabeths Hospital to public hospitals for support, etc., of patients received therein.—The Superintendent of Saint Elizabeths Hospital, with the approval of the Secretary of the Interior, shall transfer to the various public hospitals out of the various appropriations made by Congress for the support and treatment of patients in Saint Elizabeths Hospital a sum sufficient to pay for the support and treatment of patients sent to public hospitals as herein provided, based upon the per capita cost of maintenance in Saint Elizabeths Hospital, said payment not to exceed at any time the exact cost of support and treatment of such patients. *Id.*

CHAPTER XXXVIII.

FLAG AND SEAL OF THE UNITED STATES.

	Par.		Par.
The flag in the District of Columbia, desecration, mutilation, or improper use of-----	1529a	Same—Falsely making, forging, etc., seal of executive departments, etc., punishment-----	1531b
Same—Flag, standard, colors, etc., defined-----	1529b	Falsely making, forging, etc., naval, military, or official passes, etc., punishment-----	1531c
Fraudulently or wrongfully affixing, etc., seal of executive departments, etc., to certificate, instrument, etc., or wrongfully etc., using such certificate, instrument, etc., punishment-----	1531a		

1529a. *The flag in the District of Columbia, desecration, mutilation, or improper use of.*—Hereafter any person who, within the District of Columbia, in any manner, for exhibition or display, shall place or cause to be placed any word, figure, mark, picture, design, drawing or any advertisement of any nature upon any flag, standard, colors or ensign of the United States of America; or shall expose or cause to be exposed to public view any such flag, standard, colors or ensign upon which shall have been printed, painted or otherwise placed, or to which shall be attached, appended, affixed or annexed any word, figure, mark, picture, design or drawing, or any advertisement of any nature; or who, within the District of Columbia, shall manufacture, sell, expose for sale or to public view or give away or have in possession for sale or to be given away or for use for any purpose, any article or substance being an article of merchandise, or a receptacle for merchandise or article or thing for carrying or transporting merchandise, upon which shall have been printed, painted, attached or otherwise placed a representation of any such flag, standard, colors or ensign, to advertise, call attention to, decorate, mark or distinguish the article or substance on which so placed; or who, within the District of Columbia, shall publicly mutilate, deface, defile or defy, trample upon or cast contempt, either by word or act, upon any such flag, standard, colors or ensign, shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding \$100

or by imprisonment for not more than thirty days, or both, in the discretion of the court. *Act of Feb. 8, 1917 (39 Stat. 900).*

1529b. *Same—Flag, standard, colors, etc., defined.*—The words “flag, standard, colors, or ensign,” as used herein, shall include any flag, standard, colors, ensign or any picture or representation of either, or of any part or parts of either, made of any substance or represented on any substance, of any size evidently purporting to be either of said flag, standard, colors, or ensign of the United States of America or a picture or a representation of either, upon which shall be shown the colors, the Stars and Stripes, in any number of either thereof, or of any part or parts of either, by which the average person seeing the same without deliberation may believe the same to represent the flag, colors, standard or ensign of the United States of America. *Id.*

COUNTERFEITING GOVERNMENT SEAL.

1531a. *Fraudulently or wrongfully affixing, etc., seal of executive departments, etc., to certificate, instrument, etc., or wrongfully, etc., using such certificate, instrument, etc., punishment.*—Whoever shall fraudulently or wrongfully affix or impress the seal of any executive department, or of any bureau, commission, or office of the United States, to or upon any certificate, instrument, commission, document, or paper of any description; or whoever, with knowledge of its fraudulent character, shall with wrongful or fraudulent intent use, buy, procure, sell, or transfer to another any such certificate, instrument, commission, document, or paper, to which or upon which said seal has been so fraudulently affixed or impressed, shall be fined not more than \$5,000 or imprisoned not more than five years, or both. *Title X, Sec. 1, Act of June 15, 1917 (40 Stat. 227).*

1531b. *Same—Falsely making, forging, etc., seal of executive departments, etc., punishment.*—Whoever shall falsely make, forge, counterfeit, mutilate, or alter, or cause or procure to be made, forged, counterfeited, mutilated, or altered, or shall willingly assist in falsely making, forging, counterfeiting, mutilating, or altering, the seal of any executive department, or any bureau, commission, or office of the United States, or whoever shall knowingly use, affix, or impress any such fraudulently made, forged, counterfeited, mutilated, or altered seal to or upon any certificate, instrument, commission, document, or paper, of any description, or whoever with wrongful or fraudulent intent shall have possession of any such falsely made, forged, counterfeited, mutilated, or altered seal, knowing the same to have been so falsely made, forged, counterfeited, mutilated, or altered, shall be fined not more than \$5,000 or imprisoned not more than ten years, or both. *Sec. 2, id., 228.*

1531c. *Falsely making, forging, etc., naval, military, or official passes, etc., punishment.*—Whoever shall falsely make, forge, counterfeit, alter, or tamper with any naval, military, or official pass or permit, issued by or under the authority of the United States, or with wrongful or fraudulent intent shall use or have in his possession any such pass or permit, or shall personate or falsely represent himself to be or not to be a person to whom such pass or permit has been duly issued, or shall willfully allow any other person to have or use any such pass or permit, issued for his use alone, shall be fined not more than \$2,000 or imprisoned not more than five years, or both.
Sec. 3, id.

(For general provisions of this act applicable to this title, see paragraphs 1475q-1475t.)

CHAPTER XL.

RESERVE CORPS.

	Par.		Par.
Officers' Reserve Corps.....	1532-1552	Age limit for appointment in and discharge of officers after having passed such limit.....	1537
Composition and object of.....	1532	No discharge of officers on reaching age limit during existing emergency.....	1537a
Appointments in Officers' Reserve Corps and National Army to certain grades in designated staff corps.....	1532a	Same—Not to apply to appointment or reappointment of officers in certain staff departments.....	1538
President alone authorized to appoint and commission officers in, to all grades up to and including major.....	1533	Medical Reserve Corps to cease to exist one year after passage of act; officers of may be appointed to Officers' Reserve Corps.....	1539
Appointment of former officers of Regular Army, Volunteer Army, Organized Militia, or National Guard to.....	1533a	Certain officers of the medical section, Officers' Reserve Corps, may be assigned to active duty in time of peace; pay of.....	1540
Same—Proportion of officers in any section not to exceed proportion of same grade in Regular Army.....	1534	Commissions to be in force for a period of five years.....	1541
Persons registered as qualified under act of January 21, 1903, to be eligible for appointment in for three years.....	1535	Same—May be recommissioned for successive periods in same or higher grades.....	1542
Same—Persons qualified for grade of lieutenant colonel or colonel to be appointed as such, but when they become separated from the corps the grades to cease and determine.....	1536	Rank of officers in various sections to be according to grades and length of service therein.....	1543
Commissions and rank of officers who were qualified at date of act who had Federal service with National Guard or Organized Militia.....	1536a	Assignment to duty in time of war, rank, pay, etc.....	1544
Recommission of officer called for service in lower grade....	1536b	Restoration to positions of Federal or District of Columbia employees ordered to active duty as members of Officers' Reserve Corps.....	1544a

	Par.		Par.
Prohibition against acceptance of voluntary service not applicable to-----	1544b	Same—Ancient privileges recognized by national-defense act to remain in full force and effect-----	1553d
Same—Take temporary rank among themselves according to date of assignment to active duty; promotion to vacancies in Volunteers and to temporary vacancies in Regular Army-----	1545	Same—One or more units may be established on application of any qualified State institution-----	1554
Officers of not entitled to retirement or retired pay; pensionable status-----	1546	Same—Not to be established until after officer of Army has been detailed at the institution as professor of military science and tactics-----	1555
Subject to rules and Articles of War when ordered to active service-----	1547	Establishment of units at qualified institutions, other than State institutions, maintaining a two years' course of military training-----	1556
May be ordered to duty with troops, etc., for instruction---	1548	Same—Not to be established until after officer of Army has been detailed at institution as professor of military science and tactics-----	1557
Same—Period of instruction may be extended with consent of reserve officers-----	1549	Secretary of War to prescribe course of military training for the units-----	1558
Leaves of absence to Federal or District of Columbia employees who are members of Officers' Reserve Corps-----	1549a	Eligibility for membership in, as to age, citizenship, etc-----	1559
In time of war all officers of to be ordered into active service before appointment of Volunteer officers-----	1550	Detail of active or retired officers as professors for; rank, pay, term, conditions, etc-----	1560
Same—Does not prevent appointment of officers of Regular Army as officers of Volunteers before all officers of are ordered to active service---	1551	Same—Detail of enlisted men, active, retired, or Regular Army Reserve; limit as to active, who are to be additional, etc-----	1561
Relative rank and right to retirement of officers of Regular Army not affected by active service in-----	1552	Issue of public animals, arms, uniform, equipment, etc., to institutions with established units-----	1562
Reserve Officers' Training Corps-----	1553-1572	Commutation for uniforms supplied by educational institutions-----	1562a
Senior and junior divisions of to be organized at certain universities and colleges-----	1553	Issue of military equipment and detail of instructors at other schools and colleges-----	1563
First Corps Cadets, National Guard of Massachusetts, designated as unit of Senior Division-----	1553a	Camps for additional training of members of; period of encampment, equipment, etc-----	1564
Same—Subject to rules and regulations prescribed for Reserve Officers' Training Corps---	1553b	President alone may appoint qualified graduates of, in Officers' Reserve Corps; conditions-----	1565
Same—Waiving of drill and instructions required from as a National Guard organization---	1553c		

	Par.		Par.
Same—Qualified graduates not eligible for appointment while undergoing postgraduate course.....	1566	Appropriation for maintenance of camps on military reservations, etc., for training civilians.....	1576
Members who have completed two years of training may be furnished with commutation of subsistence for remainder of course of training.....	1567	Training camps for civilians....	1576a
Same—Credit to be given for military training.....	1568	Same—Available for transportation and subsistence of citizens between certain ages who have attended camps during 1916.....	1577
Appointment of prior graduates of institutions giving military training to Officers' Reserve Corps and as temporary additional second lieutenants; age limit, citizenship, etc.....	1569	Training camp for civilians on military reservation at Fort Douglas, Utah, maintenance of.....	1578
Appointment by President alone of reserve officers as temporary second lieutenants of Regular Army in time of peace for instruction.....	1570	Establishment and equipment of indoor and outdoor rifle ranges for training civilians....	1579
Reserve officers and temporary second lieutenants not entitled to retirement or retired pay; pensionable status.....	1571	Same.....	1579a
In time of war reserve officers may be assigned to active duty in any grades, not below second lieutenant, and are subject to rules and articles of war.....	1572	Same—Officer of Army or Marine Corps may be appointed director of civilian marksmanship.....	1580
Adjutant General to keep revised list of civilians who have had military training qualifying them for appointment as commissioned officers....	1573	Enlisted Reserve Corps.....	1581-1599
Camps of instruction for training civilians, equipment, etc., of.....	1574	Enlisted reserve for staff departments.....	1581
Same—Rate of mileage for civilians attending, time of payment.....	1574a	Regulations relating to enlistment of dental students in Enlisted Reserve Corps.....	1581a
Pay of civilians designated for training as officers during period of training.....	1574b	Issuance of certificate of enlistment to persons found qualified, rights conferred by.....	1582
Same—Secretary of War to prescribe course of instructions at, and detail Regular officers and enlisted men for duty in connection with.....	1575	Rosettes or knots to be issued to members attending at least one encampment for military instruction of citizens.....	1583
		Same—Penalty for unauthorized wearing of.....	1584
		Assignment of members to organizations of Regular Army or organization of, into units or detachments of any arm, etc.....	1585
		May be ordered to active service annually for purpose of instruction or training.....	1586
		Same—Periods of active service may be extended with consent of enlisted men.....	1587
		Same—Pay and allowances while in active service.....	1588

	Par.		Par.
Not entitled to retirement or retirement pay; pensionable status.....	1589	May be discharged when service no longer required or for misconduct.....	1595
Uniform to be same as for enlisted men of Regular Army and to be issued in kind.....	1590	Certificate of enlistment forfeited, in addition to other punishment, for failure to obey order assigning to active duty.....	1596
Same—Clothing or other equipment to remain property of United States.....	1591	In time of actual or threatened hostilities may be ordered to active duty with Regular Army.....	1597
Same—Unserviceable to be replaced.....	1592	Same—May be mustered into the Volunteer service with grades held in their corps....	1598
Arms, clothing, and equipment issued to be accounted for on discharge.....	1593	Same—Certificate of enlistment does not give vester right to be so mustered.....	1599
Enlisted men ordered to active service subject to Rules and Articles of War	1594		

OFFICERS' RESERVE CORPS.

1532. Composition and object of.—For the purpose of securing a reserve of officers available for service as temporary officers in the Regular Army, as provided for in this Act and in section eight of the Act approved April twenty-fifth, nineteen hundred and fourteen,¹ as officers of the Quartermaster Corps and other staff corps and departments, as officers for recruit rendezvous and depots, and as officers of volunteers, there shall be organized, under such rules and regulations as the President may prescribe not inconsistent with the provisions of this Act, an Officers' Reserve Corps of the Regular Army. Said corps shall consist of sections corresponding to the various arms, staff corps, and departments of the Regular Army.²

¹ See par. 1389, ante, or 38 Stat. 349.

² *Held*, that there are no organizational grades in the Veterinary Corps nor in the Dental Corps and that, therefore, veterinarians can be appointed in the Officers' Reserve Corps only as assistant veterinarians with the rank of second lieutenant, and dental surgeons may be appointed therein only as first lieutenant, and that in neither case can the officer attain a higher rank except through active service for the time prescribed for the attainment of higher rank.

Held further, that as to the Medical Department, the three corps, Medical, Dental, and Veterinary, are to be regarded as separate and distinct corps for the purpose of determining the proportionate number of officers to be commissioned in the Officers' Reserve Corps; and that the proportion of the grades in the Medical Section proper of the Officers' Reserve Corps should be determined by the proportion which the number in the corresponding grades in the Medical Corps of the Regular Army bear to the total number of officers in the Medical Corps of the Regular Army, the grades of captain and first lieutenant in the Medical Corps of the Regular Army being considered one grade, that of first lieutenant, in making the computation; and that the appointments to the dental and veterinary sections of the Officers' Reserve Corps, being only to the lowest in each, will be unlimited in that grade.

Held further, that for purposes of appointment in the Officers' Reserve Corps the lowest authorized grade in the Quartermaster Corps is that of captain, to which grade in the Officers' Reserve Corps appointments may be unlimited.

Held further, that the Signal Corps proper and the Aviation Section each constitutes a corps which should form the basis of an organization in the Offi-

Except as otherwise herein provided, a member of the Officers' Reserve Corps shall not be subject to call for service in time of peace, and whenever called upon for service shall not, without his consent, be so called in a lower grade than that held by him in said reserve corps. *Sec. 37, Act of June 3, 1916 (39 Stat. 189).*

1532a. *Appointments in Officers' Reserve Corps and National Army to certain grades in designated staff corps.*—During the existing emergency the President is authorized, in addition to the grades now authorized, to appoint in the Officers' Reserve Corps and the National Army in the grades of second and first lieutenant in the Quartermaster Corps; second lieutenant in the Ordnance Corps and Signal Corps; second lieutenant, first lieutenant, and captain in The Adjutant General's Department, such citizens as shall be found physically, mentally, and morally qualified for appointment. *Act of Oct. 6, 1917 (40 Stat. 393).*

(For the ensuing provision of this act see paragraph 1537a, post.)

1533. *President alone authorized to appoint and commission officers in all grades up to and including major.*—The President alone shall be authorized to appoint and commission as reserve officers in the various sections of the Officers' Reserve Corps, in all grades up to and including that of major, such citizens as, upon examination prescribed by the President, shall be found physically, mentally, and morally qualified to hold such commissions. *Sec. 37, Act of June 3, 1916 (39 Stat. 189).*

1533a. *Appointment of former officers of Regular Army, Volunteer Army, Organized Militia, or National Guard to.*—Any former officer of the Regular Army, the Volunteer Army, the Organized Militia, or the National Guard, under the age of sixty-four years and who has resigned or been honorably discharged from the service after a total commissioned service of not less than three years in either the Regular Army, the Volunteer Army, the Organized Militia, or the National Guard, may, upon such examination and within such age limits as may be prescribed by the President, be appointed and commissioned, in the discretion of the President, in any appropriate arm, staff corps, department or section of the Officers' Reserve Corps, with rank not more than one grade higher than any previously held by the officer in either of said forces, but

cers' Reserve Corps, the lowest grade in the Signal Corps being that of first lieutenant. As to the Aviation Section, *held*, that the grade of aviator, provided for in sec. 13 of the national-defense act, was created as a means of meeting contingencies and supplying casual deficiencies, and should be regarded as temporary and not as a permanent grade or integral part of the Aviation Section, such as should be made a basis for appointments in the Officers' Reserve Corps but the lowest grade of the Aviation Section in which an unlimited number of officers may be appointed is that of first lieutenant. (War Dept. Bull. 34, Sept. 12, 1916.)

in no case above that of lieutenant colonel. *Act of May 12, 1917 (40 Stat. 73).*

1534. Same—Proportion of officers in any section not to exceed proportion of same grade in Regular Army.—The proportion of officers in any section of the Officers' Reserve Corps shall not exceed the proportion for the same grade in the corresponding arm, corps, or department of the Regular Army, except that the number commissioned in the lowest authorized grade in any section of the Officers' Reserve Corps shall not be limited.¹ *Sec. 37, Act of June 3, 1916 (39 Stat. 189).*

1535. Persons registered as qualified under Act of January 21, 1903, to be eligible for appointment in for three years.—All persons now carried as duly qualified and registered pursuant to section twenty-three of the Act of Congress approved January twenty-first, nineteen hundred and three,² shall, for a period of three years after the passage of this Act, be eligible for appointment in the Officers' Reserve Corps in the section corresponding to the arm, corps, or department for which they have been found qualified, without further examination, except a physical examination, and subject to the limitations as to age and rank herein prescribed.³ *Id.*

¹ *Held*, that this provision does not limit the number who may be commissioned in any grade above the lowest, except by the proportion which the number in that grade in the corresponding arm, corps, or department of the Regular Army bears to the number in other grades in that arm, corps, or department, and that the number that may be commissioned is unlimited so long as the proportion between grades, except as to any maximum number for the lowest, is maintained in the same manner as established for the grades of the corresponding arm, corps, or department of the Regular Army. (War Dept. Bull. No. 28, Aug. 18, 1916.)

Held, with respect to the construction of section 37 of the national defense act of June 3, 1916, as applied to the Signal Corps, that the Signal Corps Section of the Officers' Reserve Corps, like the Regular Army, should comprise two divisions, i. e., the Signal Corps proper and the Aviation Section thereof; that the proportion of officers of the several grades in each division should conform to the proportion of the respective divisions of the Signal Corps of the Regular Army, except in the lowest grade; and that such proportion will practically correspond to the organization now prescribed for the units of the respective divisions of the Regular Army.

Held further, that the organization of the units of the respective sections may be proceeded with in the usual manner, provided the units, when complete, will not give a proportion of officers in any grade of the particular section of the Signal Corps in excess of the proportion prescribed in the statute; that the proportion indicated by the statute must be maintained in the particular section of the Signal Corps as a whole, but need not be maintained in a particular unit of that section unless the departure from the proportion in that unit would render the composition of the whole section such as to violate the rule. (War Dept. Bull. 34, June 8, 1917.)

² See footnote to par. 1388, ante, or 32 Stat. 779.

³ *Held*, that while this provision of the statute declares the persons therein described to be eligible for appointment in the Officers' Reserve Corps, it is not a mandate for their appointment; and, if for reasons of national policy the President may decide, as it is apparent he has decided, that persons holding commissions in available military forces of the United States shall not also be commissioned in the Officers' Reserve Corps, the provision of section 37 of the national-defense act just quoted is not violated. The eligibility of such officers is not interfered with, though, for the reason that they already bear a relation

1536. *Same—Persons qualified for grade of lieutenant colonel or colonel to be appointed as such, but when they become separated from the corps the grades to cease and determine.*—Any person carried as qualified and registered in the grade of colonel or lieutenant colonel pursuant to the provisions of said Act on the date when this Act becomes effective may be commissioned and recommissioned in the Officers' Reserve Corps with the rank for which he has been found qualified and registered, but when such person thereafter shall become separated from the Officers' Reserve Corps for any reason the vacancy so caused shall not be filled, and such office shall cease and determine. *Id.*

1536a. *Commissions and rank of officers who were qualified at date of act, or who had Federal service with National Guard or Organized Militia.*—The second proviso of section thirty-seven of the Act of June third, nineteen hundred and sixteen, entitled "An Act for making further and more effectual provision for the national defense, and for other purposes," be amended as follows: *Provided,* That any person who on June third, nineteen hundred and sixteen, was carried as qualified and registered in the grade of colonel or lieutenant colonel pursuant to the provisions of the Act of January twenty-first, nineteen hundred and three, or any person holding a commission as colonel or lieutenant colonel in the National Guard of any State, Territory, or the District of Columbia on June third, nineteen hundred and sixteen, who has served satisfactorily as such in the service of the United States under the call of May ninth, nineteen hundred and sixteen, or that of June eighteenth, nineteen hundred and sixteen, may be commissioned or recommissioned in the Officers' Reserve Corps with rank for which he had been found qualified and registered, or which he held in the National Guard on June third, nineteen hundred and sixteen, or while in the service of the United States; but when such person shall become thereafter separated from the Officers' Reserve Corps for any reason, the vacancy so caused shall not be filled and such office shall cease and determine. *Act of May 12, 1917 (40 Stat. 73), amending Sec. 37, Act of June 3, 1916 (39 Stat. 189).*

1536b. *Recommission of officer called for service in lower grade.*—Any officer of the Officers' Reserve Corps called for service with his

to the Government which is equivalent to that which would be established by their appointment in the Officers' Reserve Corps, and which renders their appointment unnecessary for the attainment of the purpose of the law creating the Officers' Reserve Corps, the President has, in his discretion, determined and ordered that they shall not be appointed.

Held further, that enlisted men of the Regular Army or National Guard who are found qualified upon examination may be commissioned in the Officers' Reserve Corps without impairment of their enlisted status, and that officers of the Officers' Reserve Corps may, if otherwise eligible, enlist in the Regular Army or National Guard. (War Dept. Bull. No. 9, Feb. 2, 1917.)

consent in a lower grade than that held by him in said Reserve Corps shall, subject to such physical examination as may be prescribed, be considered eligible for recommission in such lower grade. *Id.*

1537. Age limit for appointment in and discharge of officers after having passed such limit.—No person shall, except as hereinafter provided, be appointed or reappointed a second lieutenant in the Officers' Reserve Corps after he shall have reached the age of thirty-two years, a first lieutenant after he shall have reached the age of thirty-six years, a captain after he shall have reached the age of forty years, or a major after he shall have reached the age of forty-five years. When an officer of the Reserve Corps shall reach the age limit fixed for appointment or reappointment in the grade in which commissioned he shall be honorably discharged from the service of the United States, and be entitled to retain his official title and, on occasions of ceremony, to wear the uniform of the highest grade he shall have held in the Officers' Reserve Corps. *Sec. 37, Act of June 3, 1916 (39 Stat. 189).*

1537a. No discharge of officers on reaching age limit during existing emergency.—During the existing emergency no member of the Officers' Reserve Corps shall be discharged by reason of reaching the age limits provided in section thirty-seven of the national defense Act approved June third, nineteen hundred and sixteen. *Act of Oct. 6, 1917 (40 Stat. 393).*

(For preceding provision of this act see paragraph 1532a, ante.)

1538. Same—Not to apply to appointment or reappointment of officers in certain staff departments.—Nothing in the foregoing provisions as to the ages of officers shall apply to the appointment or reappointment of officers of the Quartermaster, Engineer, Ordnance, Signal, Judge Advocate, and Medical sections of said Reserve Corps. *Sec. 37, Act of June 3, 1916 (39 Stat. 190).*

1539. Medical Reserve Corps to cease to exist one year after passage of Act; officers of, may be appointed in Officers' Reserve Corps.—One year after the passage of this Act the Medical Reserve Corps, as now constituted by law, shall cease to exist. Members thereof may be commissioned in the Officers' Reserve Corps, subject to the provisions of this Act, or may be honorably discharged from the service.¹ *Id.*

(For composition of the Medical Department see paragraph 728a, and for old law relating to Medical Reserve Corps see paragraphs 744-749, ante.)

¹ *Held*, that the act of March 4, 1911, which created the Medical Reserve Corps, conferred upon the holders of commissions issued thereunder "all authority, rights, and privileges of commissioned officers of the like grade in the Medical Corps of the Army, except promotion, but only when called into active duty," and that as section 37 of the national defense act makes officers of the Medical Reserve Corps eligible for appointment to the medical section of the Officers' Reserve Corps, and further that the "Medical Reserve Corps as now

1540. *Certain officers of the medical section, Officers' Reserve Corps, may be assigned to active duty in time of peace; pay of.*—The Secretary of War may, in time of peace, order first lieutenants of the medical section of the Officers' Reserve Corps, with their consent, to active duty in the service of the United States in such numbers as the public interests may require and the funds appropriated may permit, and may relieve them from such duty when their services are no longer necessary. While on such duty they shall receive the pay and allowances, including pay for periods of sickness and leaves of absence, of officers of corresponding rank and length of active service in the Regular Army. *Id.*

1541. *Commissions to be in force for a period of five years.*—The commissions of all officers of the Officers' Reserve Corps shall be in force for a period of five years unless sooner terminated in the discretion of the President.¹ *Id.*

1542. *Same—May be recommissioned for successive periods in same or higher grades.*—Such officers may be recommissioned, either in the same or higher grades, for successive periods of five years, subject to such examinations and qualifications as the President may prescribe and to the age limits prescribed herein. *Id.*

1543. *Rank of officers in various sections to be according to grades and length of service therein.*—Officers of the Officers' Reserve Corps shall have rank therein in the various sections of said Reserve Corps according to grades and to length of service in their grades. *Id.*

1544. *Assignment to duty in time of war, rank, pay, etc.*—In time of actual or threatened hostilities the President may order officers of the Officers' Reserve Corps, subject to such subsequent physical examinations as he may prescribe, to temporary duty with the Regular Army in grades thereof which can not, for the time being, be filled by promotion, or as officers in volunteer or other organizations that may be authorized by law, or as officers at recruit rendezvous and depots, or on such other duty as the President may prescribe. While such reserve officers are on such service they shall, by virtue of their commissions as reserve officers, exercise command

constituted by law" shall "cease to exist one year after the passage" of the national defense act, the sale of ordnance or ordnance property to officers as members of the Medical Reserve Corps, such officers not being in active service, would be of doubtful legality, and recommended that such sale be not made when the officer will not be appointed to the Officers' Reserve Corps.

Held further, that paragraph 1520, Army Regulations, as to sales of ordnance, etc., to officers, etc., is sufficiently broad to include members of the Officers' Reserve Corps. This accords, in principle, with the opinion of the Judge Advocate General of November 9, 1916, to the effect that as the Officers' Reserve Corps is an integral part of the Army of the United States as established by section 1 of the national-defense act, its members are entitled to purchase uniforms, clothing, and equipment under paragraph 1174, Army Regulations. (War Dept. Bull. No. 3, Jan. 19, 1917.)

¹ See note to paragraph 329a as to distinction between commission in the Officers' Reserve Corps and the Regular Army, etc.

appropriate to their grade and rank in the organizations to which they may be assigned, and shall be entitled to the pay and allowances of the corresponding grades in the Regular Army, with increase of pay for length of active service, as allowed by law for officers of the Regular Army, from the date upon which they shall be required by the terms of their orders to obey the same.¹ *Sec. 38, id.*

1544a. *Restoration to positions of Federal or District of Columbia employees ordered to active duty as members of Officers' Reserve*

¹ *Held*, that sections 37 and 38 of the national-defense act prescribing the duties of members of the Officers' Reserve Corps operate to limit the duties upon which such officers may be employed to activity in connection with military forces actually in the service of the United States, and that such officers are not eligible for detail, as officers of the Army, for duty at educational institution. (War Dept. Bull., No. 39, Oct. 6, 1916.)

Upon the question whether a reserve officer of the grade of major could be assigned to active service as an assistant to an officer of the Regular Army of the grade of captain,

Held, that since it is provided in section 38 of the national-defense act that while reserve officers are on active service they shall, "by virtue of their commissions as reserve officers, exercise command appropriate to their grade and rank in the organizations to which they may be assigned, * * * : *Provided*, That officers so ordered to active service shall take temporary rank among themselves, and in their grades in the organizations to which assigned, according to the dates of orders placing them on active service; * * *" the question must be answered in the negative. (War Dept. Bull. 34, June 8, 1917.)

Upon the question whether officers of the Officers' Reserve Corps of the Army are entitled to mileage for travel in joining their first duty station under War Department orders,

Held, that the provision in section 38, national-defense act of June 3, 1916, that members of the Officers' Reserve Corps "shall be entitled to the pay and allowances of the corresponding grades in the Regular Army * * * from the date upon which they shall be required by the terms of their orders to obey the same," clearly entitles such officers to mileage for the travel performed, mileage being an allowance. (Comp. Treas., June 6, 1917; War Dept. Bull. 49, Aug. 22, 1917.)

In the case of certain members of the Officers' Reserve Corps and officers of the National Guard on duty at a military post, the question was raised as to the legality of their being charged by the Quartermaster Corps for fuel and light consumed by them in public quarters.

Held, that Congress has very clearly manifested its intention in legislation that National Guard troops and members of the Officers' Reserve Corps in the active service of the United States shall receive the same pay and allowances as is provided by law for officers and enlisted men of the Regular Army of like grades, and that under the act of March 2, 1907 (34 Stat. 1167), all officers are entitled to heat and light actually necessary for the allowance of quarters to which they are entitled and have been assigned, and in case National Guard officers and members of the Officers' Reserve Corps on duty at any military post are duly occupying their authorized allowance of public quarters at such post, they should not be charged for heat and light actually necessary for such quarters. (War Dept. Bull. 54, Sept. 26, 1917.)

Under the thirty-eighth section of the national-defense act of June 3, 1916, and the one hundred and nineteenth article of war captains in the Regular Army assigned to active duty as junior military aviators and automatically thereby obtaining the rank of major outrank and have precedence over officers of the same grade in any forces drafted or called into the service of the United States, such as the Officers' Reserve Corps. (War Dept. Bull. 67, Nov. 30, 1917.)

In time of actual or threatened hostilities the President may order officers of the Officers' Reserve Corps to temporary duty with the Regular Army in grades that can not be filled by promotion, or to duty, permanent or temporary, in authorized positions in volunteer or other organizations, which include the National Guard drafted into the Federal service or the National Army. (War Dept. Bull. 75, Dec. 31, 1917.)

Corps.—Members of the Officers' Reserve Corps who are in the employ of the United States Government or of the District of Columbia and who are ordered to duty by proper authority shall, when relieved from duty, be restored to the positions held by them when ordered to duty. *Act of May 12, 1917 (40 Stat. 72).*

1544b. *Prohibition against acceptance of voluntary service not applicable to.*—Section three¹ of the Act approved February twenty-seventh, nineteen hundred and six, entitled, "An Act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and six, and for prior years and for other purposes," shall not be construed to prohibit the Secretary of War from accepting the gratuitous services of members of the Officers' Reserve Corps of the Army in the furtherance of the enrollment, organization, and training of the Officers' Reserve Corps, the Reserve Officers' Training Corps, or the Enlisted Reserve Corps of the Army or in consultation upon matters relating to the military service. *Id.*

1545. *Same—Take temporary rank among themselves according to date of assignment to active duty; promotion to vacancies in volunteers and to temporary vacancies in Regular Army.*—Officers so ordered to active service shall take temporary rank among themselves, and in their grades in the organizations to which assigned, according to the dates of orders placing them on active service; and they may be promoted, in accordance with such rank, to vacancies in volunteer organizations or to temporary vacancies in the Regular Army thereafter occurring in the organizations in which they shall be serving. *Sec. 38, Act of June 3, 1916 (39 Stat. 190).*

1546. *Officers of not entitled to retirement or retired pay; pensionable status.*—Officers of the Officers' Reserve Corps shall not be entitled to retirement or retired pay, and shall be entitled to pension only for disability incurred in the line of duty and while in active service. *Id.*

1547. *Subject to rules and articles of war when ordered to active service.*—Any officer who, while holding a commission in the Officers' Reserve Corps, shall be ordered to active service by the Secretary of War shall, from the time he shall be required by the terms of his order to obey the same, be subject to the laws and regulations for the government of the Army of the United States, in so far as they are applicable to officers whose permanent retention in the military service is not contemplated. *Id. 191.*

1548. *May be ordered to duty with troops, etc., for instruction.*—To the extent provided for from time to time by appropriations for this specific purpose, the Secretary of War is authorized to order

¹ See paragraph 188, ante, or 34 Stat. 48.

reserve officers to duty with troops or at field exercises, or for instruction, for periods not to exceed fifteen days in any one calendar year, and while so serving such officers shall receive the pay and allowances of their respective grades in the Regular Army.¹ *Sec. 39, id.*

1549. *Same—Period of instruction may be extended with consent of reserve officers.*—With the consent of the reserve officers concerned, and within the limit of funds available for the purpose, such periods of duty may be extended for reserve officers as the Secretary of War may direct. *Id.*

1549a. *Leaves of absence to Federal or District of Columbia employees who are members of Officers' Reserve Corps.*—All officers and employees of the United States or of the District of Columbia who shall be members of the Officers' Reserve Corps shall be entitled to leave of absence from their respective duties, without loss of pay, time, or efficiency rating, on all days during which they shall be ordered to duty with troops or at field exercises, or for instruction, for periods not to exceed fifteen days in any one calendar year.² *Act of May 12, 1917 (40 Stat. 72).*

1550. *In time of war all officers of to be ordered into active service before appointment of volunteer officers.*—In time of actual or threatened hostilities, after all available officers of any section of the Officers' Reserve Corps corresponding to any arm, corps, or department of the Regular Army shall have been ordered into active service, officers of Volunteers may be appointed in such arm, corps, or department as may be authorized by law. *Id.*

1551. *Same—Does not prevent appointment of officers of Regular Army as officers of Volunteers before all officers of are ordered to active service.*—Nothing herein shall operate to prevent the appointment of any officer of the Regular Army as an officer of Volunteers before all the officers of the Officers' Reserve Corps or any section thereof shall have been ordered into active service. *Id.*

(See paragraph 1388, ante.)

1552. *Relative rank and right to retirement of officers of Regular Army not affected by active service in.*—In determining the relative

¹ *Held*, that reserve officers, when ordered to active duty in accordance with sections 37 and 39 of the national-defense act "for duty with troops," may, while in active service for such duty, be assigned to any duty in connection with such troops to which Regular Army officers serving therewith may be assigned, including duty as disbursing officers. (War Dept. Bull. No. 3, Jan. 19, 1917.)

² *Held*, that an employee of the United States on leave of absence and attending an officers' training camp as a candidate for a commission in the Officers' Reserve Corps of the Army may not lawfully receive his regular compensation as a civilian employee for such period in addition to pay as such candidate when the annual rate of the combined compensation so received exceeds \$2,000, in view of the act of August 29, 1916 (39 Stat., 582), amending section 6, act of May 10, 1916; and further, that he can not elect to refuse his military pay in order to accept the pay of his civil position. (Comp. Treas., June 25, 1917; War Dept. Bull. 49, Aug. 22, 1917.)

rank and the right to retirement of an officer of the Regular Army, active duty performed by him while serving in the Officers' Reserve Corps shall not be reckoned. *Id.*

(See paragraphs 353 and 962-964, ante.)

RESERVE OFFICERS' TRAINING CORPS.

1553. *Senior and junior divisions of, to be organized at certain universities and colleges.*—The President is hereby authorized to establish and maintain in civil educational institutions a Reserve Officers' Training Corps, which shall consist of a senior division organized at universities and colleges requiring four years of collegiate study for a degree, including State universities and those State institutions that are required to provide instruction in military tactics under the provisions of the Act of Congress of July second, eighteen hundred and sixty-two, donating lands for the establishment of colleges where the leading object shall be practical instruction in agriculture and the mechanic arts, including military tactics, and a junior division organized at all other public or private educational institutions, except that units of the senior division may be organized at those essentially military schools which do not confer an academic degree but which, as a result of the annual inspection of such institutions by the War Department, are specially designated by the Secretary of War as qualified for units of the senior division, and each division shall consist of units of the several arms or corps in such number and of strength as the President may prescribe. *See 40. id.*

1553a. *First Corps Cadets, National Guard of Massachusetts, designated as unit of Senior Division.*—The Secretary of War, in his discretion, is authorized to designate the First Corps Cadets of the National Guard of Massachusetts as a unit of the Senior Division of the Reserve Officers' Training Corps. *Act of May 12, 1917 (40 Stat. 71).*

1553b. *Same—Subject to rules and regulations prescribed for Reserve Officers' Training Corps.*—The First Corps Cadets shall be subject to such rules and regulations as may be prescribed under the provisions of the National Defense Act of June third, nineteen hundred and sixteen, or amendments thereto, relating to the Reserve Officers' Training Corps. *Id.*

1553c. *Same—Waiving of drill and instructions required from as a National Guard organization.*—The drill and instruction, including indoor target practice, required of the First Corps Cadets as a National Guard organization is hereby waived. *Id.*

1553d. *Same—Ancient privileges recognized by National-Defense Act to remain in full force and effect.*—The privileges and benefits extended by existing law to National Guard organizations, including those organizations provided for in section sixty-three of the Na-

tional Defense Act of June third, nineteen hundred and sixteen, be continued in full force and effect. *Id.*

(See paragraphs 1327a-1327c, ante.)

1554. *Same—One or more units may be established on application of any qualified State institution.*—The President may, upon the application of any State institution described in section forty of this Act, establish and maintain at such institution one or more units of the Reserve Officers' Training Corps. *Sec. 41, Act of June 3, 1916 (39 Stat. 191).*

1555. *Same—Not to be established until after officer of Army has been detailed at the institution as professor of military science and tactics.*—No such unit shall be established or maintained at any such institution until an officer of the Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least one hundred physically fit male students. *Id.*

1556. *Establishment of units at qualified institutions, other than State institutions, maintaining a two years' course of military training.*—The President may, upon the application of any established educational institution in the United States other than a State institution described in section forty of this Act, the authorities of which agree to establish and maintain a two years' elective or compulsory course of military training as a minimum for its physically fit male students, which course when entered upon by any student shall, as regards such student, be a prerequisite for graduation, establish and maintain at such institution one or more units of the Reserve Officers' Training Corps. *Sec. 42, id.*

1557. *Same—Not to be established until after officer of Army has been detailed at institution as professor of military science and tactics.*—No such unit shall be established or maintained at any such institution until an officer of the Army shall have been detailed as professor of military science and tactics, nor until such institution shall maintain under military instruction at least one hundred physically fit male students. *Id. 192.*

1558. *Secretary of War to prescribe courses of military training for the units.*—The Secretary of War is hereby authorized to prescribe standard courses of theoretical and practical military training for units of the Reserve Officers' Training Corps, and no unit of the senior division shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their curriculum the prescribed courses of military training for the senior division or to devote at least an average of three hours per week per academic year to such military training; and no unit of the junior division shall be organized or maintained at any educational institution the authorities of which fail or neglect to adopt into their cur-

riculum the prescribed courses of military training for the junior division, or to devote at least an average of three hours per week per academic year to such military training. *Sec. 43, id.*

1559. *Eligibility for membership in, as to age, citizenship, etc.*—Eligibility to membership in the Reserve Officers' Training Corps shall be limited to students of institutions in which units of such corps may be established who are citizens of the United States, who are not less than fourteen years of age, and whose bodily condition indicates that they are physically fit to perform military duty, or will be so upon arrival at military age. *Sec. 44, id.*

1560. *Detail of active or retired officers as professors for; rank, pay, term, conditions, etc.*—The President is hereby authorized to detail such numbers of officers of the Army, either active or retired, not above the grade of colonel, as may be necessary, for duty as professors and assistant professors of military science and tactics at institutions where one or more units of the Reserve Officers' Training Corps are maintained; but the total number of active officers so detailed at educational institutions shall not exceed three hundred, and no active officer shall be so detailed who has not had five years' commissioned service in the Army. In time of peace retired officers shall not be detailed under the provisions of this section without their consent. Retired officers below the grade of lieutenant colonel so detailed shall receive the full pay and allowances of their grade, and retired officers above the grade of major so detailed shall receive the same pay and allowances as a retired major would receive under a like detail. No detail of officers on the active list of the Regular Army under the provisions of this section shall extend for more than four years. *Sec. 45, id.*

(See paragraphs 942-950, ante.)

1561. *Same—Detail of enlisted men, active, retired, or Regular Army Reserve, limit as to active who are to be additional, etc.*—The President is hereby authorized to detail for duty at institutions where one or more units of the Reserve Officers' Training Corps are maintained such number of enlisted men, either active or retired or of the Regular Army Reserve, as he may deem necessary, but the number of active noncommissioned officers so detailed shall not exceed five hundred, and all active noncommissioned officers so detailed shall be additional in their respective grades to those otherwise authorized for the Army. Retired enlisted men or members of the Regular Army Reserve shall not be detailed under the provisions of this section without their consent. While so detailed they shall receive active pay and allowances. *Sec. 46, id.*

(See paragraph 946, ante; see also paragraph 1544b, ante, authorizing acceptance of voluntary services of members of Officers' Reserve Corps for training, etc., the Officers' Reserve Corps; the Reserve Officers' Training Corps, or the Enlisted Reserve Corps, etc.)

1562. Issue of public animals, arms, uniforms, equipment, etc., to institutions with established units.—The Secretary of War, under such regulations as he may prescribe, is hereby authorized to issue to institutions at which one or more units of the Reserve Officers' Training Corps are maintained such public animals, arms, uniforms, equipment, and means of transportation as he may deem necessary, and to forage at the expense of the United States public animals so issued. He shall require from each institution to which property of the United States is issued a bond in the value of the property issued for the care and safe-keeping thereof, and for its return when required. *Sec. 47, id.*

(See paragraphs 951-955 and 954a-954b, ante.)

1562a. Commutation for uniforms supplied by educational institutions.—The Secretary of War may, in his discretion and under such regulations as he may prescribe, permit such institutions to furnish their own uniforms and receive as commutation therefor the sum allotted by the Secretary of War to such institutions for uniforms.¹ *Act of May 12, 1917 (40 Stat. 71).*

1563. Issue of military equipment and detail of instructors at other schools and colleges.—Such arms, tentage, and equipment as the Secretary of War shall deem necessary for proper military training shall be supplied by the Government to schools and colleges, other than those provided for in section forty-seven of this Act, having a course of military training prescribed by the Secretary of War and having not less than one hundred physically fit male students above the age of fourteen years, under such rules and regulations as he may prescribe; and the Secretary of War is hereby authorized to detail such commissioned and noncommissioned officers of the Army to said schools and colleges, other than those provided for in section forty-five and forty-six of this Act, detailing not less than one such officer or noncommissioned officer to each five hundred students under military instruction. *Sec. 56, Act of June 3, 1916 (39 Stat. 197).*

1564. Camps for additional training of members of; period of encampment, equipment, etc.—The Secretary of War is hereby authorized to maintain camps for the further practical instruction of the members of the Reserve Officers' Training Corps, no such camps to be maintained for a period longer than six weeks in any one year, except in time of actual or threatened hostilities; to transport mem-

¹ Where institutions, at which one or more units of the Reserve Officers' Training Corps are maintained, furnish uniforms for their students and receive commutation therefor under the act of May 12, 1917 (40 Stat. 40), such uniforms remain the property of the institutions in question, or of the students themselves. Since such uniforms are not the property of the United States within the provisions of section 47 of the national defense act (39 Stat. 192) neither a bond nor an insurance policy should be exacted in such cases. (Dig. Opin. J. A. G., February, 1918.)

bers of such corps to and from such camps at the expense of the United States so far as appropriations will permit; to subsist them at the expense of the United States while traveling to and from such camps and while remaining therein so far as appropriations will permit; to use the Regular Army, such other military forces as Congress from time to time authorizes, and such Government property as he may deem necessary for the military training of the members of such corps while in attendance at such camps; to prescribe regulations for the government of such corps; and to authorize in his discretion, the formation of company units thereof into battalion and regimental units. *Sec. 48, id. 193.*

1565. President alone may appoint qualified graduates of, in Officers' Reserve Corps; conditions.—The President alone, under such regulations as he may prescribe, is hereby authorized to appoint in the Officers' Reserve Corps any graduate of the senior division of the Reserve Officers' Training Corps who shall have satisfactorily completed the further training provided for in section fifty of this Act, or any graduate of the junior division who shall have satisfactorily completed the courses of military training prescribed for the senior division and the further training provided for in section fifty of this Act, and shall have participated in such practical instruction subsequent to graduation as the Secretary of War shall prescribe, who shall have arrived at the age of twenty-one years and who shall agree, under oath in writing, to serve the United States in the capacity of a reserve officer of the Army during a period of at least ten years from the date of his appointment as such reserve officer, unless sooner discharged by proper authority; but the total number of reserve officers so appointed shall not exceed fifty thousand. *Sec. 49, id.*

1566. Same—Qualified graduates not eligible for appointment while undergoing postgraduate course.—Any graduate qualified under the provisions of this section undergoing a postgraduate course at any institution shall not be eligible for appointment as a reserve officer while undergoing such postgraduate course, but his ultimate eligibility upon completion of such postgraduate course for such appointment shall not be affected because of his having undergone such postgraduate course. *Id.*

1567. Members who have completed two years of training may be furnished with commutation of subsistence for remainder of course of training.—When any member of the senior division of the Reserve Officers' Training Corps has completed two academic years of service in that division, and has been selected for further training by the president of the institution and by its professor of military science and tactics, and has agreed in writing to continue in the Reserve

Officers' Training Corps for the remainder of his course in the institution, devoting five hours per week to the military training prescribed by the Secretary of War, and has agreed in writing to pursue the courses in camp training prescribed by the Secretary of War, he may be furnished, at the expense of the United States, with commutation of subsistence at such rate, not exceeding the cost of the garrison ration prescribed for the Army, as may be fixed by the Secretary of War, during the remainder of his service in the Reserve Officers' Training Corps.¹ *Sec. 50, id.*

1568. *Same—Credit to be given for military training.*—In the interpretation and execution of section fifty of the Act of Congress approved June third, nineteen hundred and sixteen, credit shall be given as for service in the senior division of the Reserve Officers' Training Corps to any member of that division for any period or periods of time during which such member has received or shall have received at any educational institution under the direction of an officer of the Army, detailed as professor of military science and tactics, a course of military training substantially equivalent to that prescribed by regulations under this section for the corresponding period or periods of training of the senior division, Reserve Officers' Training Corps. *Joint Resolution of Sept. 8, 1916 (39 Stat. 853).*

1569. *Appointment of prior graduates of institutions giving military training to Officers' Reserve Corps and as temporary additional second lieutenants; age limit, citizenship, etc.*—Any physically fit male citizen of the United States, between the ages of twenty-one and twenty-seven years, who shall have graduated prior to the date of this Act from any educational institution at which an officer of the Army was detailed as professor of military science and tactics, and who, while a student at such institution, completed courses of military training under the direction of such professor of military science and tactics substantially equivalent to those prescribed pur-

¹ Upon the question as to whether in case the exigencies of the service require the relief of the professor of military science and tactics at an institution at which one or more units of the senior division of the Reserve Officers' Training Corps have been established, leaving on duty only enlisted men detailed under section 46 of the national-defense act, in the absence of a commissioned officer can the "military training prescribed by the Secretary of War" under section 50 of the national-defense act of June 3, 1916, be so carried on as to entitle the members of the senior division at the institution, who have complied with all requirements so far as they are concerned to be paid the commutation of subsistence provided by said section 50.

Held, that the presence of an officer of the Army, active or retired, as professor of military science and tactics is a condition for the maintenance of a unit of the training corps under instruction at the particular institution; and that, in the absence of such instruction, the "military training prescribed by the Secretary of War" as contemplated by the national-defense act, can not be carried on so as to entitle the members of the senior division of such training corps to be paid the commutation of subsistence provided by section 50 of said act. (War Dept. Bul. 49, Aug. 22, 1917.)

suant to this Act for the senior division, shall, after satisfactorily completing such additional practical military training as the Secretary of War shall prescribe, be eligible for appointment to the Officers' Reserve Corps and as a temporary additional second lieutenant in accordance with the terms of this Act. *Sec. 51, Act of June 3, 1916 (39 Stat. 193).*

1570. Appointment by President alone of reserve officers as temporary second lieutenants of Regular Army in time of peace for instruction.—The President alone is hereby authorized to appoint and commission as a temporary second lieutenant of the Regular Army in time of peace for purposes of instruction, for a period not exceeding six months, with the allowances now provided by law for that grade, but with pay at the rate of \$100 per month, any reserve officer appointed pursuant to sections forty-nine and fifty-one of this Act and to attach him to a unit of the Regular Army for duty and training during the period covered by his appointment as such temporary second lieutenant, and upon the expiration of such service with the Regular Army such officer shall revert to his status as a reserve officer. *Sec. 52, id. 194.*

(See paragraphs 1565 and 1569, ante.)

1571. Reserve officers and temporary second lieutenants not entitled to retirement or retired pay; pensionable status.—No reserve officer or temporary second lieutenant appointed pursuant to this Act shall be entitled to retirement or to retired pay and shall be eligible for pension only for disability incurred in line of duty in active service or while serving with the Regular Army pursuant to the provisions of this Act. *Sec. 53, id.*

1572. In time of war reserve officers may be assigned to active duty in any grades not below second lieutenant, and are subject to rules and articles of war.—In time of war the President may order reserve officers appointed under the provisions of this Act to active duty with any of the military forces of the United States in any grades not below that of second lieutenant, and while on such active duty they shall be subject to the Rules and Articles of War. *Id.*

1573. Adjutant General to keep revised list of civilians who have had military training qualifying them for appointment as commissioned officers.—The Adjutant General of the Army shall, under the direction and supervision of the Secretary of War, obtain, compile, and keep continually up to date all obtainable information as to the names, ages, addresses, occupations, and qualifications for appointment as commissioned officers of the Army, in time of war or other emergency, of men of suitable ages who, by reason of having received military training in civilian educational institutions or elsewhere,

may be regarded as qualified and available for appointment as such commissioned officers. *Id.*

1574. *Camps of instruction for training civilians, equipment, etc., of.*—The Secretary of War is hereby authorized to maintain, upon military reservations or elsewhere, camps for the military instruction and training of such citizens as may be selected for such instruction and training, upon their application and under such terms of enlistment and regulations as may be prescribed by the Secretary of War; to use, for the purpose of maintaining said camps and imparting military instruction and training thereat, such arms, ammunition, accouterments, equipments, tentage, field equipage, and transportation belonging to the United States as he may deem necessary; to furnish, at the expense of the United States, uniforms, subsistence, transportation by the most usual and direct route within such limits as to territory as the Secretary of War may prescribe, and medical supplies to persons receiving instruction at said camps during the period of their attendance thereat, to authorize such expenditures, from proper Army appropriations, as he may deem necessary for water, fuel, light, temporary structures, not including quarters for officers nor barracks for men, screening, and damages resulting from field exercises, and other expenses incidental to the maintenance of said camps, and the theoretical winter instruction in connection therewith; and to sell to persons receiving instruction at said camps, for cash and at cost price plus ten per centum, quartermaster and ordnance property, the amount of such property sold to any one person to be limited to that which is required for his proper equipment. All moneys arising from such sales shall remain available throughout the fiscal year following that in which the sales are made, for the purpose of that appropriation from which the property sold was authorized to be supplied at the time of the sale.¹ *Sec. 54, id.*

(The act of May 12, 1917 (40 Stat. 69), contains an appropriation for items of expenditure covered by above paragraph.)

¹ *Held*, that in view of the broad powers of discretion conferred upon the Secretary of War by section 54, national defense act, in the matter of providing for military camps of instruction and training for civilians, including authority "to furnish at the expense of the United States uniforms, subsistence, transportation, and medical supplies to persons receiving instruction at such camps," the first-aid packets requested could properly be furnished if regarded by the Surgeon General as reasonably necessary for the civilians in training at the camp. (War Dept. Bull. 18, July 8, 1916.)

Held, that such sales are authorized only to persons while they are in actual attendance at the camps "receiving instruction" thereat, and that there is no authority to fill orders for such property received from former attendants. (War Dept. Bull. 47, Nov. 16, 1916.)

On the question whether claims for damages to private property due to training-camp work are payable from training-camp funds when duly found by the proceedings of a board of officers, approved by the commanding officer.

Held, that the appropriation for civilian training camps (act of May 12, 1917) expressly includes "damages resulting from field exercises and other expenses incident to maintaining said camps," etc.; and that this provision clearly covers damages to private property due to operations incident to training-camp work. (War Dept. Bull. 54, Sept. 26, 1917.)

1574a. Same—Rate of mileage for civilians attending, time of payment.—So much of section fifty-four of the Act of June third, nineteen hundred and sixteen, entitled "An Act for making further and more effectual provision for the national defense, and for other purposes," as relates to the transportation of citizens who, conformably to such regulations as the Secretary of War may prescribe, attend training camps be, and the same is hereby amended so as to provide that said citizens shall be paid as traveling allowances three and one-half cents per mile for the distance by the shorest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto: *Provided further*, That the payment of travel pay for the return journey may be made in advance of the actual performance of travel. *Act of May 12, 1917 (40 Stat. 70), amending Sec. 54, Act of June 3, 1916 (39 Stat. 194).*

1574b. Pay of civilians designated for training as officers during period of training.—The Secretary of War is hereby authorized out of this appropriation to pay to persons designated by him for training as officers in the Army during the period of their training the sum of not to exceed \$100 per month in addition to the allowances authorized by said section fifty-four: *Provided*, That they shall agree to accept appointment in the Officers' Reserve Corps in such grade as may be tendered by the Secretary of War.¹ *Act of May 12, 1917 (40 Stat. 70.)*

1575. Same—Secretary of War to prescribe course of instructions at, and detail Regular officers and enlisted men for duty in connection with.—The Secretary of War is authorized further to prescribe the courses of theoretical and practical instruction to be pursued by persons attending the camps authorized by this section; to fix the periods during which such camps shall be maintained; to prescribe rules and regulations for the government thereof; and to employ thereat officers and enlisted men of the Regular Army in such num-

¹ *Held*, that an employee of the United States on leave of absence and attending an officers' training camp as a candidate for a commission in the Officers' Reserve Corps of the Army may not lawfully receive his regular compensation as a civilian employee for such period in addition to pay as such candidate when the annual rate of the combined compensation so received exceeds \$2,000, in view of the act of August 29, 1916 (39 Stat. 582), amending section 6, act of May 10, 1916; and further, that he can not elect to refuse his military pay in order to accept the pay of his civil position. (Comp. Treas., June 25, 1917; War Dept. Bull. 49, Aug. 22, 1917.)

Enlisted men of the National Guard, as well as students at Signal Corps aviation schools, while being trained as officers in training schools or camps are entitled to the same pay and allowances as candidates at reserve officers' training camps. (War Dept. Bull. 67, Nov. 30, 1917.)

The travel expenses of graduates from an aviation general supply depot transferred to various flying schools for instruction in flying, such persons being candidates for commission, are payable from the appropriations for civil military training provided for in the Army appropriation act of May 12, 1917. (Dig. Opin. J. A. G., January, 1918.)

bers and upon such duties as he may designate. *Sec. 54, Act of June 3, 1916 (39 Stat. 194).*

1576. *Appropriation for maintenance of camps on military reservations, etc., for training civilians.*—To provide for the expense of maintaining, upon military reservations or elsewhere, camps for the military instruction and training of such citizens as may be selected for such instruction and training, under such regulations as may be prescribed by the Secretary of War, and to furnish to said citizens the subsistence, transportation, and uniforms authorized by the Act of Congress approved June third, nineteen hundred and sixteen, \$2,000,000. *Act of Aug. 29, 1916 (39 Stat. 648).*

1576a. *Training camps for civilians.*—For the expense of maintaining, upon military reservations or elsewhere, camps for the military instruction and training of such citizens physically capable of bearing arms as may be selected under such regulations as may be prescribed by the Secretary of War, and for furnishing said citizens, at the expense of the United States, uniforms, subsistence, transportation by the most usual and direct route within said limits as to territory as may be prescribed; for such expenditures as may be deemed necessary for water, fuel, light, temporary structures, not including quarters for officers nor barracks for men, screening, and damages resulting from field exercises, and other expenses incidental to maintaining said camps and the theoretical winter instruction in connection therewith, including textbooks and stationery; for furnishing such equipments, tentage, field equipage, and transportation belonging to the United States as may be deemed necessary as authorized by section fifty-four of the Act of Congress approved June third, nineteen hundred and sixteen, \$3,281,000. *Act of May 12, 1917 (40 Stat. 69).*

1577. *Same—Available for transportation and subsistence of citizens between certain ages who have attended camps during 1916.*—So much of this appropriation as may be necessary shall be available for the subsistence and transportation of all persons between the ages of eighteen and forty-five years who have attended any camp authorized by the Secretary of War during the calendar year nineteen hundred and sixteen. *Act of Aug. 29, 1916 (39 Stat. 648).*

1578. *Training camp for civilians on military reservation at Fort Douglas, Utah, maintenance of.*—The Secretary of War be, and he is hereby, authorized to maintain upon the military reservation of Fort Douglas, Utah, for such period within the fiscal year ending June thirtieth, nineteen hundred and seventeen, as he may deem advisable, a camp for the military instruction and training of such citizens as may be selected for such instruction and training under such regulations as he may prescribe, and to furnish to said citizens the subsistence, transportation, and uniforms authorized by the Act of Con-

gress approved June third, nineteen hundred and sixteen; and for the purposes of this Act there is hereby appropriated the sum of \$30,000, to be paid out of any money in the Treasury not otherwise appropriated. *Id*, 671.

1579. *Establishment and equipment of indoor and outdoor rifle ranges for training civilians.*—To establish and maintain indoor and outdoor rifle ranges for the use of all able-bodied males capable of bearing arms, under reasonable regulations to be prescribed by the National Board for Promotion of Rifle Practice and approved by the Secretary of War; to provide standard military arms and ammunition, indoor gallery rifles and ammunition; for the employment of labor in connection with the establishment of outdoor and indoor rifle ranges, including labor in operating targets; for the employment of instructors; for clerical services; for prizes, trophies, badges, and other insignia; for the transportation of employees, instructors, and civilians to engage in practice; for the purchase of materials, supplies, and services, and for expenses incidental to instruction of citizens of the United States in marksmanship, to be expended under the direction of the Secretary of War and to remain available until expended. *Id*, 648.

1579a. *Same.*—To establish and maintain indoor and outdoor rifle ranges for the use of all able-bodied males capable of bearing arms, under reasonable regulations to be prescribed by the National Board for Promotion of Rifle Practice and approved by the Secretary of War; for the employment of labor in connection with the establishment of outdoor and indoor rifle ranges, including labor in operating targets; for the employment of instructors; for clerical services; for badges and other insignia; for the transportation of employees, instructors, and civilians to engage in practice; for the purchase of materials, supplies, and services, and for expenses incidental to instruction of citizens of the United States in marksmanship, to be expended under the direction of the Secretary of War and to remain available until expended. *Act of May 12, 1917 (40 Stat. 69).*

1580. *Same—Officer of Army or Marine Corps may be appointed Director of Civilian Marksmanship.*—The President be, and he is hereby, authorized, in his discretion, to appoint, as Director of Civilian Marksmanship, under the direction of the Secretary of War, an officer of the Army or of the Marine Corps. *Act of Aug. 29, 1916 (39 Stat. 648).*

ENLISTED RESERVE CORPS.

1581. *Enlisted reserve for staff departments.*—For the purpose of securing an additional reserve of enlisted men for military service with the Engineer, Signal, and Quartermaster Corps and the Ordnance and Medical Departments of the Regular Army, an Enlisted

Reserve Corps, to consist of such number of enlisted men of such grade or grades as may be designated by the President from time to time, is hereby authorized, such authorization to be effective on and after the first day of July, nineteen hundred and sixteen. *Sec. 55, Act of June 3, 1916 (39 Stat. 195).*

1581a. *Regulations relating to enlistment of dental students in Enlisted Reserve Corps.*—All regulations concerning the enlistment of medical students in the Enlisted Reserve Corps and their continuance in their college course while subject to call to active service, shall apply similarly to dental students. *Act of Oct. 6, 1917 (40 Stat. 397.)*

(For the preceding provisions of this act see paragraphs 750d-750g, ante.)

1582. *Issuance of certificates of enlistment to persons found qualified, rights conferred by.*—There may be enlisted in the grade or grades hereinbefore specified, for a period of four years, under such rules as may be prescribed by the President, citizens of the United States, or persons who have declared their intentions to become citizens of the United States, subject to such physical, educational, and practical examination as may be prescribed in said rules. For men enlisting in said grade or grades certificates of enlistment in the Enlisted Reserve Corps shall be issued by The Adjutant General of the Army, but no such man shall be enlisted in said corps unless he shall be found physically, mentally, and morally qualified to hold such certificate and unless he shall be between the ages of eighteen and forty-five years. The certificates so given shall confer upon the holders when called into active service or for purposes of instruction and training, during the period of such active service, instruction, or training, all the authority, rights, and privileges of like grades of the Regular Army. Enlisted men of the Enlisted Reserve Corps shall take precedence in said corps according to the dates of their certificates of enlistment therein and when called into active service or when called out for purposes of instruction or training shall take precedence next below all other enlisted men of like grades in the Regular Army. *Sec. 55, Act of June 3, 1916 (39 Stat. 195).*

1583. *Rosettes or knots to be issued to members attending at least one encampment for military instruction of citizens.*—And the Secretary of War is hereby authorized to issue to members of the Enlisted Reserve Corps and to persons who have participated in at least one encampment for the military instruction of citizens, conducted under the auspices of the War Department, distinctive rosettes or knots designed for wear with civilian clothing, and whenever a rosette or knot issued under the provisions of this section shall have been lost, destroyed, or rendered unfit for use without

fault or neglect upon the part of the person to whom it is issued, the Secretary of War shall cause a new rosette or knot to be issued to such person without charge therefor. *Id.*

1584. *Same—Penalty for unauthorized wearing of.*—Any person who is not an enlisted man of the Enlisted Reserve Corps and shall not have participated in at least one encampment for the military instruction of citizens, conducted under the auspices of the War Department, and who shall wear such rosette or knot shall be guilty of misdemeanor punishable by a fine of not exceeding \$300, or imprisonment not exceeding six months, or both. *Id.*

1585. *Assignment of members to organizations of Regular Army or organization of into units or detachments of any arm, etc.*—The President is authorized to assign members of the Enlisted Reserve Corps as reserves to particular organizations of the Regular Army, or to organize the Enlisted Reserve Corps, or any part thereof, into units or detachments of any arm, corps, or department in such manner as he may prescribe, and to assign to such units and detachments officers of the Regular Army or of the Officers' Reserve Corps, herein provided for. *Id.*

1586. *May be ordered to active service annually for purpose of instruction or training.*—To the extent provided from time to time by appropriations the Secretary of War may order enlisted men of the Enlisted Reserve Corps to active service for purposes of instruction or training for periods not to exceed fifteen days in any one calendar year. *Id.*

1587. *Same—Periods of active service may be extended with consent of enlisted men.*—With the consent of such enlisted men and within the limits of funds available for such purposes, such periods of active service may be extended for such number of enlisted men as may be deemed necessary. *Id.*, 196.

1588. *Same—Pay and allowances while in active service.*—Enlisted men of the Enlisted Reserve Corps shall receive the pay and allowances of their respective grades, but only when ordered into active service, including the time required for actual travel from their homes to the places to which ordered and return to their homes.¹ *Id.*

¹ The question was submitted whether enlisted men of the Aviation Section, Signal Enlisted Reserve Corps, are entitled to increased pay when on duty requiring them to participate regularly and frequently in aerial flights.

Held, that they are so entitled, under the same conditions as are enlisted men of the Regular Army on such duty, for the reason that section 3 of the act of July 18, 1914 (38 Stat. 514), creating the Aviation Section of the Signal Corps and prescribing the personnel, provides that each aviation enlisted man shall receive additional pay when on such duty; and section 13, national defense act, only repeals inconsistent provisions of the prior law, leaving this provision in force; and section 55, national defense act, provides that members of the Enlisted Reserve Corps, when in active service, "shall be entitled to the pay and allowances of the corresponding grades of the Regular Army," etc. (War Dept. Bull. 54, Sept. 26, 1917.)

1589. *Not entitled to retirement or retirement pay; pensionable status.*—Said enlisted men shall not be entitled to retirement or retirement pay, nor shall they be entitled to pensions except for physical disability incurred in line of duty while in active service or while traveling under orders of competent authority to or from designated places of duty. *Id.*

1590. *Uniform to be same as for enlisted men of Regular Army and to be issued in kind.*—The uniform to be worn by enlisted men of the Enlisted Reserve Corps, except corps insignia, shall be the same as prescribed for enlisted men of the Regular Army Reserve, and that in lieu of any money allowance for clothing there shall be issued to each enlisted man of the Enlisted Reserve Corps in time of peace such articles of clothing and equipment as the President may direct. *Id.*

1591. *Same—Clothing or other equipment to remain property of United States.*—Any clothing or other equipment issued to any enlisted man of the said corps shall remain the property of the United States, and in case of loss or destruction of any article, the article so lost or destroyed shall be replaced by issue to the enlisted man and the value thereof deducted from any pay due or to become due him, unless it shall be made to appear that such loss or destruction was not due to neglect or other fault on his part. *Id.*

1592. *Same—Unserviceable to be replaced.*—Any clothing or other equipment issued to enlisted men of the Enlisted Reserve Corps which shall have become unserviceable through ordinary wear and tear in the service of the United States shall be received back by the United States and serviceable like articles issued in lieu thereof. *Id.*

1593. *Arms, clothing, and equipment issued to be accounted for on discharge.*—When enlisted men of the Enlisted Reserve Corps shall be discharged or otherwise separated from the service, all arms, equipage, clothing, and other property issued to them shall be accounted for under such regulations as may be prescribed by the Secretary of War. *Id.*

1594. *Enlisted men ordered to active service subject to rules and articles of war.*—Any enlisted man of the Enlisted Reserve Corps ordered to active service or for purposes of instruction or training shall, from the time he is required by the terms of the order to obey the same, be subject to the laws and regulations for the government of the Army of the United States. *Id.*

1595. *May be discharged when services no longer required or for misconduct.*—The Secretary of War is hereby authorized to discharge any enlisted member of the Enlisted Reserve Corps when his services shall be no longer required, or when he shall have by misconduct unfitted himself for further service in the said corps. *Id.*

1596. *Certificate of enlistment forfeited, in addition to other punishment, for failure to obey order assigning to active duty.*—Any enlisted man of said corps who shall be ordered upon active duty as herein provided and who shall willfully fail to comply with the terms of the order so given him shall, in addition to any other penalty to which he may be subject, forfeit his certificate of enlistment. *Id.*

1597. *In time of actual or threatened hostilities may be ordered to active duty with Regular Army.*—In time of actual or threatened hostilities the President may order the Enlisted Reserve Corps, in such numbers and at such times as may be considered necessary, to active service with the Regular Army, and while on such service members of said corps shall exercise command appropriate to their several grades and rank in the organizations to which they shall be assigned and shall be entitled to the pay and allowances of the corresponding grades in the Regular Army, with increase of pay for length of service as now allowed by law for the Regular Army. *Id.*

1598. *Same—May be mustered into the volunteer service with grades held in their corps.*—Upon a call by the President for a volunteer force the members of the Enlisted Reserve Corps may be mustered into the service of the United States as volunteers for duty with the Army in the grades held by them in the said corps, and shall be entitled to the pay and allowances of the corresponding grades in the Regular Army, with increase of pay for length of service, as now provided by law for the Regular Army. *Id.*

1599. *Same—Certificate of enlistment does not give vested right to be so mustered.*—Enlisted men of the Enlisted Reserve Corps shall not acquire by virtue of issuance of certificates of enlistment to them a vested right to be mustered into the volunteer service of the United States. *Id.*, 197.

CHAPTER XLI.

PLANTS FOR MANUFACTURE OF ARMS, AMMUNITION, AND SUPPLIES—BOARDS AND COUNCIL OF NATIONAL DEFENSE, ETC.

Par.		Par.
	Plants for manufacture of arms, ammunition, and supplies.....	1600-1604
	Purchase of products of, in time of actual or threatened war.....	1600
	Same—On refusal of plant to fill orders Government may take possession; penalty imposed on manufacturers for noncompliance.....	1601
	Same—Compensation or rental for use of plant to be fair and just.....	1602
	List of private arms and ammunition plants, showing capacity, etc.....	1603
	Same—List of private manufacturing plants capable of being transformed into ammunition factories, with plans for such transformation.....	1604
	Board on Mobilization of Industries Essential to Military Preparedness.....	1605
	Board to investigate Government manufacture of arms, munitions, and equipment.....	1606
	Procurement of gauges, dies, tools, drawings, etc., for manufacture of arms and ammunition.....	1607
	Same—May be purchased without advertisement.....	1608
	Same—Appropriation for purchase of, for manufacture of ammunition.....	1609
	Same—Appropriation for purchase of, for manufacture of arms.....	1610
	Same—Appropriation for purchase of, for manufacture of Field Artillery ammunition for National Guard.....	1611
	Cooperation of departments, bureaus, and Council of National Defense in standardizing and testing standard gauges, screw threads, etc.....	1611a
	Procurement of rights to inventions for control by radiodynamic energy of movement of torpedoes.....	1612
	Same—Acquisition conditional on favorable report of board of Army and Navy officers.....	1613
	Commissioner of Patents, in event of contract, to issue patents to United States covering the inventions, etc.....	1614
	Same—Installation of one radiodynamic torpedo unit, provided rights are required.....	1615
	Same—Inventions important to armament or defense of United States.....	1616
	Keeping secret inventions, and withholding grant of patent therefor during time of war.....	1616a
	Inventions abandoned, when.....	1616b
	Compensation to patentee for use of inventions tendered to Government.....	1616c
	Council of National Defense.....	1617-1621
	Composition and purpose of.....	1617
	Same—Appointment, composition, and duties of advisory commission.....	1618

	Par.		Par.
Same—Duties of council.....	1619	Same—Use and disposition of products of the plants.....	1624
Powers or duties of council not enlarged by existence of state of war	1619a	Same—Employment of necessary officers or agents to carry out purposes of section.....	1625
Same—Rules and regulations for conduct of its work; organization of subordinate bodies	1620	Same—Appropriation for, remain available until expended..	1626
Same—Appropriation for investigations of, annual and other reports by, etc.....	1621	Same—Plants to be operated solely by the Government....	1627
Nitrate supply.....	1622-1629	Funds appropriated for, may be raised by sale of Panama Canal bonds.....	1628
For manufacture of munitions of war, etc.....	1622	Same—Maturity of bonds.....	1629
Same—Acquisition of lands and materials for construction and operation of plants.....	1623		

PLANTS FOR MANUFACTURE OF ARMS, AMMUNITION AND SUPPLIES.

1600. *Purchase of products of in time of actual or threatened war.*—The President, in time of war or when war is imminent, is empowered, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement, to place an order with any individual, firm, association, company, corporation, or organized manufacturing industry for such product or material as may be required, and which is of the nature and kind usually produced or capable of being produced by such individual, firm, company, association, corporation, or organized manufacturing industry. *Sec. 120, Act of June 3, 1916 (39 Stat. 213.)*

1601. *Same—On refusal of plant to fill orders Government may take possession; penalty imposed on manufacturers for noncompliance.*—Compliance with all such orders for products or material shall be obligatory on any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof and shall take precedence over all other orders and contracts theretofore placed with such individual, firm, company, association, corporation, or organized manufacturing industry, and any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof owning or operating any plant equipped for the manufacture of arms or ammunition, or parts of ammunition, or any necessary supplies or equipment for the Army, and any individual, firm, association, company, corporation, or organized manufacturing industry or the responsible head or heads thereof owning or operating any manufacturing plant, which, in the opinion of the Secretary of

War shall be capable of being readily transformed into a plant for the manufacture of arms or ammunition, or parts thereof, or other necessary supplies or equipment, who shall refuse to give to the United States such preference in the matter of the execution of orders, or who shall refuse to manufacture the kind, quantity, or quality of arms or ammunition, or the parts thereof, or any necessary supplies or equipment, as ordered by the Secretary of War, or who shall refuse to furnish such arms, ammunitions, or parts of ammunition, or other supplies or equipment, at a reasonable price as determined by the Secretary of War, then, and in either such case, the President, through the head of any department of the Government, in addition to the present authorized methods of purchase or procurement herein provided for, is hereby authorized to take immediate possession of any such plant or plants, and through the Ordnance Department of the United States Army, to manufacture therein in time of war, or when war shall be imminent, such product or material as may be required, and any individual, firm, company, association, or corporation, or organized manufacturing industry, or the responsible head or heads thereof, failing to comply with the provisions of this section shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment for not more than three years and by a fine not exceeding \$50,000. *Id.*

1602. *Same—Compensation or rental for use of plant to be fair and just.*—The compensation to be paid to any individual, firm, company, association, corporation, or organized manufacturing industry for its products or material, or as rental for use of any manufacturing plant while used by the United States, shall be fair and just. *Id.*

1603. *List of private arms and ammunition plants, showing capacity, etc.*—The Secretary of War shall also make, or cause to be made, a complete list of all privately owned plants in the United States equipped to manufacture arms or ammunition, or the component parts thereof. He shall obtain full and complete information regarding the kind of arms or ammunition, or the component parts thereof, manufactured or that can be manufactured by each such plant, the equipment in each plant, and the maximum capacity thereof. *Id.*, 214.

1604. *Same—List of private manufacturing plants capable of being transformed into ammunition factories, with plans for such transformation.*—He shall also prepare, or cause to be prepared, a list of privately owned manufacturing plants in the United States capable of being readily transformed into ammunition factories, where the capacity of the plant is sufficient to warrant transforming such plant or plants into ammunition factories in time of war or when war shall be imminent; and as to all such plants the Secretary

of War shall obtain full and complete information as to the equipment of each such plant, and he shall prepare comprehensive plans for transforming each such plant into an ammunition factory, or a factory in which to manufacture such parts of ammunition as in the opinion of the Secretary of War such plant is best adapted. *Id.*

1605. *Board on Mobilization of Industries Essential to Military Preparedness.*—The President is hereby authorized, in his discretion, to appoint a Board on Mobilization of Industries Essential for Military Preparedness, nonpartisan in character, and to take all necessary steps to provide for such clerical assistance as he may deem necessary to organize and coordinate the work hereinbefore described. *Id.*

1606. *Board to investigate Government manufacture of arms, munitions, and equipment.*—The Secretary of War is hereby authorized to appoint a board of five citizens, two of whom shall be civilians and three of whom shall be officers of the Army, to investigate and report to him the feasibility, desirability, and practicability of the Government manufacturing arms, munitions, and equipment, showing in said report the comparative prices of the arms, munitions, and equipment manufactured in Government plants and those manufactured in private plants, the amount of money necessary to build and operate Government plants for the manufacture of arms, munitions, and equipment; showing also what the Government plants and arsenals are now doing in the way of manufacturing arms, munitions, and equipment, and what saving has accrued to the Government by reason of its having manufactured a large part of its own arms, munitions, and equipment for the last four years. And the Secretary of War is hereby directed to transmit said report to Congress on or before January first, nineteen hundred and seventeen. *Sec. 121. id.*

1607. *Procurement of gauges, dies, tools, drawings, etc., for manufacture of arms and ammunition.*—The Secretary of War be, and he is hereby, authorized to prepare or cause to be prepared, to purchase or otherwise procure, such gauges, dies, jigs, tools, fixtures, and other special aids and appliances, including specifications and detailed drawings, as may be necessary for the immediate manufacture, by the Government and by private manufacturers, of arms, ammunition, and special equipment necessary to arm and equip the land forces likely to be required by the United States in time of war. *Sec. 123, id. 215.*

1608. *Same—May be purchased without advertisement.*—In the expenditure of any sums appropriated to carry out the purposes of this section the existing laws prescribing competition in the procurement of supplies by purchase shall not govern, whenever in the opin-

ion of the Secretary of War such action will be for the best interest of the public service. *Id.*

1609. *Same—Appropriation for purchase of, for manufacture of ammunition.*—That \$250,000 of this appropriation¹ may be used to procure gauges, dies, jigs, tools, fixtures, and other special aids and appliances, including specifications and detailed drawings necessary for the manufacture by the Government and by private manufacturers of ammunition necessary for the use of the land forces of the United States in time of war, and in the purchase of lots of ammunition to complete the object of this proviso the existing laws prescribing competition in the procurement of supplies by purchase shall not govern in orders not to exceed \$50,000 in any one case. *Act of Aug. 29, 1916 (39 Stat. 642).*

1610. *Same—Appropriation for purchase of for manufacture of arms.*—That \$200,000 of this appropriation² may be used to procure gauges, dies, jigs, tools, fixtures, and other special aids and appliances, including specifications and detailed drawings, necessary for the manufacture by private manufacturers, of arms necessary to arm the land forces likely to be required by the United States in time of war, and in the purchase of lots of arms to complete the object of this proviso the existing laws prescribing competition in the procurement of supplies by purchase shall not govern in orders not to exceed \$50,000 in any one case. *Id. 643.*

1611. *Same—Appropriation for purchase of for manufacture of Field Artillery ammunition for National Guard.*—Not more than \$200,000 of this appropriation³ may be used to procure gauges, dies, jigs, tools, fixtures, and other special aids and appliances, including specifications and detailed drawings necessary for the manufacture by private manufacturers of Field Artillery ammunition necessary for the use of the land forces of the United States in time of war, and in the purchase of lots of ammunition to complete the object of this proviso the existing laws prescribing competition in the procurement of supplies by purchase shall not govern in orders not to exceed \$50,000 in any one case. *Id. 644.*

1611a. *Cooperation of Departments, Bureau, and Council of National Defense, in standardizing and testing standard gauges, screw threads, etc.*—To provide by cooperation of the Bureau of Standards, the War Department, the Navy Department, and the Council of National Defense, for the standardization and testing of the standard gauges, screw threads, and standards required in manufacturing throughout the United States, and to calibrate and test such standard

¹ The appropriation referred to is \$10,000,000 for the manufacture and purchase of ammunition for small arms.

² The appropriation referred to is \$5,000,000 for the manufacture of arms.

³ The appropriation referred to is \$10,000,000 for Field Artillery ammunition for the National Guard.

gauges, screw threads, and standards, including necessary equipment, rental in Washington, and elsewhere, erection of temporary structures, office expenses, books of reference and periodicals, personal services in the District of Columbia, and in the field, and all other necessary items not included in the foregoing, \$150,000. *Act of June 15, 1917 (40 Stat. 216).*

1612. *Procurement of rights to inventions for control by radiodynamic energy of movement of torpedoes.*—For the procurement of the exclusive rights of John Hays Hammond, junior, and the Radio Engineering Company of New York (Incorporated) to their discoveries and inventions in the art of control by radiodynamic energy of the movement of water-borne carriers of high explosives, in accordance with a proposal heretofore made by said John Hays Hammond, junior, and said company, known as proposal Z, \$750,000. *Act of July 6, 1916 (39 Stat. 347).*

1613. *Same—Acquisition conditional on favorable report of board of Army and Navy officers.*—Said sum shall not be paid except upon the approval by the President of a report of a board of three Army and three Navy officers, to be appointed by him, which report shall be favorable to the acquisition of such rights, such report to be made after a demonstration of the application of the said system to the control of torpedoes; and, to provide for such demonstration, \$30,000 of the sum so appropriated, or so much thereof as may be necessary for the purpose, may be applied to the expense of conducting the same exclusive of the services of said Hammond, which services shall be rendered free of charge, the amount so applied and which shall be immediately available, in the event of the purchase of such rights, to be considered as part payment of the purchase price of the same. *Id.*

1614. *Commissioner of Patents, in event of contract, to issue patents to United States covering the invention, etc.*—The Commissioner of Patents is authorized and directed, in the event of the entrance by the Government into a contract with the above-mentioned parties for the purchase of such rights in all instances where it would grant patents to John Hays Hammond, junior, or to the Radio Engineering Company upon request of the United States to issue said patents to the United States, and, in the event of said contract being made, the Commissioner of Patents is further authorized and directed to keep applications for such patents in the secret archives of the Patent Office, not open to disclosure even in cases of interferences. *Id.*

1615. *Same—Installation of one radiodynamic torpedo unit, provided rights are acquired.*—For procurement and installation of one radiodynamic torpedo unit, \$417,000: *Provided*, That no part of said sum shall be so expended unless the United States shall first acquire

as heretofore provided the rights of the said John Hays Hammond, junior, and the Radio Engineering Company of New York. *Id.* 348.

1616. *Same—Inventions important to the armament or defenses of the United States.*—All applications for patents shall be completed and prepared for examination within one year after the filing of the application, and in default thereof, or upon failure of the applicant to prosecute the same within one year after any action therein, of which notice shall have been given to the applicant, they shall be regarded as abandoned by the parties thereto, unless it be shown to the satisfaction of the Commissioner of Patents that such delay was unavoidable: *Provided, however,* That no application shall be regarded as abandoned which has become the property of the Government of the United States and with respect to which the head of any department of the Government shall have certified to the Commissioner of Patents, within a period of three years, that the invention disclosed therein is important to the armament or defense of the United States: *Provided further,* That within ninety days, and not less than thirty days, before the expiration of any such three-year period the Commissioner of Patents shall, in writing, notify the head of the department interested in any pending application for patent, of the approaching expiration of the three-year period within which any application for patent shall have been pending. *Sec. 4894, R. S., as amended by Act of July 6, 1916 (39 Stat. 348).*

1616a. *Keeping secret inventions, and withholding grant of patent therefor during time of war.*—Whenever during a time when the United States is at war the publication of an invention by the granting of a patent might, in the opinion of the Commissioner of Patents, be detrimental to the public safety or defense or might assist the enemy or endanger the successful prosecution of the war he may order that the invention be kept secret and withhold the grant of a patent until the termination of the war. *Act of Oct. 6, 1917 (40 Stat. 394).*

1616b. *Inventions abandoned, when.*—The invention disclosed in the application for said patent may be held abandoned upon it being established before or by the commissioner that in violation of said order said invention has been published or that an application for a patent therefor has been filed in a foreign country by the inventor or his assigns or legal representatives, without the consent or approval of the Commissioner of Patents, or under a license of the Secretary of Commerce as provided by law. *Id.*

1616c. *Compensation to patentee for use of inventions tendered to Government.*—When an applicant whose patent is withheld as herein provided and who faithfully obeys the order of the Commissioner of Patents above referred to shall tender his invention to the Govern-

ment of the United States for its use, he shall, if and when he ultimately received a patent, have the right to sue for compensation in the Court of Claims, such right to compensation to begin from the date of the use of the invention by the Government. *Id.*, 395.

(See paragraphs 1425pp-1425rr, ante, for almost identical provisions contained in the Act of October 6, 1917 (40 Stat. 422), entitled the "Trading with the Enemy Act," section 10, except that the above provisions may be regarded as applicable during any time when the United States is at war, while the provisions in paragraphs 1425qq-1425rr appear to be applicable only during the present war.)

COUNCIL OF NATIONAL DEFENSE.

1617. *Composition and purpose of.*—A Council of National Defense is hereby established, for the coordination of industries and resources for the national security and welfare, to consist of the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor. *Sec. 2, Act of Aug. 29, 1916 (39 Stat. 649).*

1618. *Same—Appointment, composition, and duties of an advisory commission.*—The Council of National Defense shall nominate to the President, and the President shall appoint, an advisory commission, consisting of not more than seven persons, each of whom shall have special knowledge of some industry, public utility, or the development of some natural resource, or be otherwise specially qualified, in the opinion of the council, for the performance of the duties hereinafter provided. The members of the advisory commission shall serve without compensation, but shall be allowed actual expenses of travel and subsistence when attending meetings of the commission or engaged in investigations pertaining to its activities. The advisory commission shall hold such meetings as shall be called by the council or be provided by the rules and regulations adopted by the council for the conduct of its work. *Id.*

1619. *Same—Duties of council.*—It shall be the duty of the Council of National Defense to supervise and direct investigations and make recommendations to the President and the heads of executive departments as to the location of railroads with reference to the frontier of the United States so as to render possible expeditious concentration of troops and supplies to points of defense; the coordination of military, industrial, and commercial purposes in the location of extensive highways and branch lines of railroad; the utilization of waterways; the mobilization of military and naval resources for defense; the increase of domestic production of articles and materials essential to the support of armies and of the people during the interruption of foreign commerce; the development of seagoing transportation; data as to amounts, location, method and means of produc-

tion, and availability of military supplies; the giving of information to producers and manufacturers as to the class of supplies needed by the military and other services of the Government, the requirements relating thereto, and the creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the Nation. *Id.*

1619a. *Powers or duties of council not enlarged by existence of state of war.*—In the expenditure of said moneys¹ the existence of a state of war shall not be construed as enlarging the powers or duties of the Council of National Defense, but that such powers and duties shall remain as prescribed by the Act creating said council, approved August twenty-ninth, nineteen hundred and sixteen. *Act of June 15, 1917 (40 Stat. 182).*

1620. *Same—Rules and regulations for conduct of its work; organization of subordinate bodies.*—The Council of National Defense shall adopt rules and regulations for the conduct of its work, which rules and regulations shall be subject to the approval of the President, and shall provide for the work of the advisory commission to the end that the special knowledge of such commission may be developed by suitable investigation, research, and inquiry and made available in conference and report for the use of the council; and the council may organize subordinate bodies for its assistance in special investigations, either by the employment of experts or by the creation of committees of specially qualified persons to serve without compensation, but to direct the investigations of experts so employed. *Sec. 2, Act of Aug. 29, 1916 (39 Stat. 650).*

1621. *Same—Appropriation for investigations of, annual and other reports by, etc.*—The sum of \$200,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be immediately available for experimental work and investigations undertaken by the council, by the advisory commission, or subordinate bodies, for the employment of a director, expert and clerical expenses and supplies, and for the necessary expenses of members of the advisory commission or subordinate bodies going to and attending meetings of the commission or subordinate bodies. Reports shall be submitted by all subordinate bodies and by the advisory commission to the council, and from time to time the council shall report to the President or to the heads of executive departments upon special inquiries or subjects appropriate thereto, and an annual report to the Congress

¹Appropriation for expenses of experimental work and investigations undertaken by the Council, employment of experts, and clerical and other assistance at rates of compensation authorized by Section 167, Revised Statutes (Par. 44, ante), purchase of supplies, books of reference, expenses of members of the council, advisory commission. etc., attending meetings, and rental of quarters in the District of Columbia.

shall be submitted through the President, including as full a statement of the activities of the council and the agencies subordinate to it as is consistent with the public interest, including an itemized account of the expenditures made by the council or authorized by it, in as full detail as the public interest will permit: *Provided, however,* That when deemed proper the President may authorize, in amounts stipulated by him, unvouchered expenditures and report the gross sums so authorized not itemized. *Id.*

NITRATE SUPPLY.

1622. *For manufacture of munitions of war, etc.*—The President of the United States is hereby authorized and empowered to make, or cause to be made, such investigation as in his judgment is necessary to determine the best, cheapest, and most available means for the production of nitrates and other products for munitions of war and useful in the manufacture of fertilizers and other useful products by water power or any other power as in his judgment is the best and cheapest to use; and is also hereby authorized and empowered to designate for the exclusive use of the United States, if in his judgment such means is best and cheapest, such site or sites, upon any navigable or nonnavigable river or rivers or upon the public lands, as in his opinion will be necessary for carrying out the purposes of this Act; and is further authorized to construct, maintain, and operate, at or on any site or sites so designated, dams, locks, improvements to navigation, power houses, and other plants and equipment or other means than water power as in his judgment is the best and cheapest, necessary or convenient for the generation of electrical or other power and for the production of nitrates or other products needed for munitions of war and useful in the manufacture of fertilizers and other useful products. *Sec. 124, Act of June 3, 1916 (39 Stat. 215).*

1623. *Same—Acquisition of lands and materials for construction and operation of plants.*—The President is authorized to lease, purchase, or acquire, by condemnation, gift, grant, or devise, such lands and rights of way as may be necessary for the construction and operation of such plants, and to take from any lands of the United States, or to purchase or acquire by condemnation materials, minerals, and processes, patented or otherwise, necessary for the construction and operation of such plants and for the manufacture of such products. *Id.*

1624. *Same—Use and disposition of products of the plants.*—The products of such plants shall be used by the President for military and naval purposes to the extent that he may deem necessary, and any surplus which he shall determine is not required shall be sold

and disposed of by him under such regulations as he may prescribe. *Id.*

1625. *Same—Employment of necessary officers or agents to carry out purposes of section.*—The President is hereby authorized and empowered to employ such officers, agents, or agencies as may in his discretion be necessary to enable him to carry out the purposes herein specified, and to authorize and require such officers, agents, or agencies to perform any and all of the duties imposed upon him by the provisions hereof. *Id.*

1626. *Same—Appropriation for, to remain available until expended.*—The sum of \$20,000,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, available until expended, to enable the President of the United States to carry out the purposes herein provided for. *Id.*

1627. *Same—Plants to be operated solely by the Government.*—The plant or plants provided for under this Act shall be constructed and operated solely by the Government and not in conjunction with any other industry or enterprise carried on by private capital. *Id.*

1628. *Funds appropriated for, may be raised by sale of Panama Canal bonds.*—In order to raise the money appropriated by this Act and necessary to carry its provisions into effect, the Secretary of the Treasury, upon the request of the President of the United States, may issue and sell, or use for such purpose or construction hereinabove authorized, any of the bonds of the United States now available in the Treasury of the United States under the Act of August fifth, nineteen hundred and nine, the Act of February fourth, nineteen hundred and ten, and the Act of March second, nineteen hundred and eleven, relating to the issue of bonds for the construction of the Panama Canal, to a total amount not to exceed \$20,000,000. *Id.*

1629. *Same—Maturity of bonds.*—Any Panama Canal bonds issued and sold or used under the provisions of this section may be made payable at such time after issue as the Secretary of the Treasury, in his discretion, may deem advisable, and fix, instead of fifty years after date of issue, as in said Act of August fifth, nineteen hundred and nine, not exceeding fifty years. *Id.* 216.

CHAPTER XLII.

SELECTIVE SERVICE ACT.

	Par.		Par.
Draft, organize, and equip additional force of 500,000 men; officers therefor.....	1630	Voluntary enlistment or draft of special and technical troops.....	1641
Same—Organization same as corresponding organizations of Regular Army.....	1631	Organizations to be composed of and officered by men coming from same State or locality..	1642
Appointment of officers.....	1632	Bounties and substitutes prohibited.....	1643
Same — Recommissioning in Coast Guard former officers of Revenue-Cutter Service or..	1633	Exemptions from selective draft.....	1644
Draft, organize, officer, equip and train additional force of 500,000 men.....	1634	Same—Each State, etc., to furnish quota notwithstanding such exemptions.....	1645
Draft, organize, officer, and equip recruit training units..	1635	Same—Local boards for States, Territories, etc., to pass upon exemptions.....	1646
Draft, organize, officer, and maintain batteries, battalions, etc.....	1636	Same — Appointment, composition, and qualification.....	1647
Voluntary enlistment or draft of men necessary to complete and maintain Regular Army and drafted National Guard organizations; other forces raised by selective draft....	1637	Same—Powers and duties of....	1648
Persons subject to draft; age limit.....	1638	District boards, appointment, qualifications, and jurisdiction.....	1649
Quotas from States, Territories, and District of Columbia....	1639	Powers and duties on appeals from local boards and in original cases.....	1650
All drafted forces and officers holding commissions therein subject to Articles of War; duration of service.....	1640	Same—Decisions final, exceptions.....	1651
Termination of services of persons selected by draft.....	1640a	Vacancies on local and district boards, filling of.....	1652
Proclamation as to peace and transportation of forces to home station.....	1640b	Regulations to be prescribed for organization, procedure, etc., of local and district boards of exemption.....	1653
		Persons subject to registration; duty to register; failure or refusal to register, punishment..	1654

	Par.		Par.
Same — Precedence given in criminal prosecutions to cases of failure to register.....	1655	Temporary appointment of general officers.....	1663
Same—Age limit for registration; remain subject to draft unless exempted.....	1656	Same—Selection of appointees.....	1663a
Registration of temporary absentees.....	1657	Same—Vacancies in Regular Army resulting from such appointments.....	1664
Services of all departments and officers of United States, States, etc., may be utilized....	1658	Period of appointments authorized by sections one and eight.....	1665
Use of penalty envelopes for correspondence.....	1659	Discharge of appointed officers; military boards to report upon capacity, qualifications, conduct, and efficiency of officers.....	1666
Failure or neglect to perform required duties; false registration, etc., punishment.....	1660	Rank of members of boards, and approval of report by President.....	1667
Qualifications and conditions for voluntary enlistment.....	1661	Pay, allowances, etc., of officers and enlisted men.....	1668
Grouping of enlisted or drafted units.....	1662	Repealing clause.....	1669

SELECTIVE SERVICE ACT.¹

1630. *Draft, organize, and equip additional force of 500,000 men; officers therefor.*—To raise by draft as herein provided, organize and equip an additional force of five hundred thousand enlisted men, or such part or parts thereof as he may at any time deem necessary, and to provide the necessary officers, line and staff, for said force and for organizations of the other forces hereby authorized, or by combining organizations of said other forces, by ordering members of the Officers' Reserve Corps to temporary duty in accordance with the provisions of section thirty-eight² of the national defense Act approved June third, nineteen hundred and sixteen; by appointment from the Regular Army, the Officers' Reserve Corps, from those duly qualified and registered pursuant to section twenty-three³ of the Act of Congress approved January twenty-first, nineteen hundred and three (Thirty-second Statutes at Large, page seven hundred and seventy-five), from the members of the National Guard drafted into the service of the United States, from those who have been graduated from educational institutions at which military instruction is compulsory, or from those who have had honorable service in the Regular Army, the National Guard, or in the volunteer

¹ Certain paragraphs which relate to the Regular Army, etc., will be found under other chapters.

² Paragraph 1544, ante, or 39 Stat. 190.

³ See footnote to paragraph 1388, ante, or 32 Stat. 779.

forces, or from the country at large,¹ by assigning retired officers of the Regular Army to active duty with such force with their rank on the retired list and the full pay and allowances of their grade; or by the appointment of retired officers and enlisted men, active or retired² of the Regular Army as commissioned officers in such forces. *Par. 3, Sec. 1, Act of May 18, 1917 (40 Stat. 76.)*

(See note to paragraph 329a for distinction between a commission in the National Army, the Regular Army, etc.)

1631. Same—Organization same as corresponding organizations of Regular Army.—The organization of said force shall be the same as that of the corresponding organizations of the Regular Army.³ *Id.*

(For paragraphs 1 and 2 of this section, see paragraphs 331c4, 331c4, 1339p, and 1339q, and for the ensuing provision of this paragraph of the section, see paragraph 356b, ante.)

1632. Appointment of officers.—Officers with rank not above that of colonel shall be appointed by the President alone, and officers above that grade by the President by and with the advice and consent of the Senate. *Id.*, 77.

(For the provision of this paragraph of section 1 immediately preceding this paragraph, see paragraph 356e.)

1633. Same—Recommissioning in Coast Guards former officers of Revenue-Cutter Service or.—The President may in his discretion recommission in the Coast Guard persons who have heretofore held commissions in the Revenue-Cutter Service or the Coast Guard and have left the service honorably, after ascertaining that they are qualified for service physically, morally, and as to age and military fitness. *Id.*

1634. Draft, organize, officer, equip, and train additional force of 500,000 men.—The President is further authorized, in his discretion and at such time as he may determine, to raise and begin the training of an additional force of five hundred thousand men organized, offi-

¹An officer appointed to the National Army from civil life under the act of May 18, 1917, upon his acceptance of his commission is entitled to mileage for travel under competent orders from his place of residence to his first duty station. (Act of June 12, 1906, 34 Stat. 246.) Similarly a member of the Officers' Reserve Corps is entitled to mileage upon being ordered to active duty (national defense act of June 3, 1916, sec. 38); (see 23 Comp. Dec. Comptroller 705). So much of paragraph 1279, Army Regulations, as is inconsistent herewith is not in accordance with the law. (Dig. Opin. J. A. G., January, 1918.)

²The acceptance by a retired enlisted man of an appointment to a higher grade while employed on active duty, under section 7 of the act of May 18, 1917 (40 Stat. 76), will not affect his retired status. Upon the termination of his active duty he will revert to the same status as a retired enlisted man which he occupied prior to the acceptance of an appointment in the temporary forces and will again become entitled to the retired pay and allowances of an enlisted man of his grade on the enlisted man's retired list. During his active duty his pay on the retired list is in abeyance. (*Id.* February, 1918.)

³See paragraph 1532a, ante, for authorization for appointments into certain designated grades in staff corps.

cered, and equipped, as provided for the force first mentioned in the preceding paragraph of this section. *Par. 4, Sec. 1, id.*

1635. *Draft, organize, officer, and equip recruit training units.*—To raise by draft, organize, equip, and officer, as provided in the third paragraph of this section, in addition to and for each of the above forces, such recruit training units as he may deem necessary for the maintenance of such forces at the maximum strength. *Par. 5, Sec. 1, id.*

1636. *Draft, organize, officer, and maintain ammunition batteries, battalions, etc.*—To raise, organize, officer, and maintain during the emergency such number of ammunition batteries and battalions, depot batteries and battalions, and such artillery parks, with such numbers and grades of personnel as he may deem necessary. Such organizations shall be officered in the manner provided in the third paragraph of this section, and enlisted men may be assigned to said organizations from any of the forces herein provided for or raised by selective draft as by this Act provided. *Par. 6, Sec. 1, id.*

(For paragraph 7, section 1, see paragraph 1383a, ante.)

1637. *Voluntary enlistment or draft of men necessary to complete and maintain Regular Army and drafted National Guard organizations; other forces raised by selective draft.*—The enlisted men required to raise and maintain the organizations of the Regular Army and to complete and maintain the organizations embodying the members of the National Guard drafted into the service of the United States, at the maximum legal strength as by this Act provided, shall be raised by voluntary enlistment, or if and whenever the President decides that they can not effectually be so raised or maintained, then by selective draft; and all other forces hereby authorized, except as provided in the seventh paragraph of section one, shall be raised and maintained by selective draft exclusively; but this provision shall not prevent the transfer to any force of training cadres from other forces. *Sec. 2, id.*

(For qualifications and conditions for voluntary enlistment see paragraph 1661, post.)

1638. *Persons subject to draft; age limit.*—Such draft as herein provided shall be based upon liability to military service of all male citizens, or male persons not alien enemies who have declared their intention to become citizens, between the ages of twenty-one and thirty years, both inclusive, and shall take place and be maintained under such regulations as the President may prescribe not inconsistent with the terms of this Act.¹ *Id.*

¹ Citizens of a foreign country subject to draft may not be released therefrom to permit them to enlist in the army of their own country. (War Dept. Bull. 67, Nov. 30, 1917.)

Relator was brought before the court on a writ of habeas corpus. He was a citizen of Russia, had never declared his intention of becoming a citizen of the

1639. *Quotas from States, Territories, and District of Columbia.*—
Quotas for the several States, Territories, and the District of Co-

United States, was drafted for military service and ordered to report, and was arrested by the military authorities for not reporting. He received the usual notices; he never made any claim for exemption on ground of alienage in the manner prescribed by the regulations. He alleged that he had made certain informal claims and failed to make formal claim by reason of assurances given him by members of the local board that being an alien he need not trouble himself further. This was denied by members of the local board. After the time for filing exemption claims had expired he made formal claim. The court stated the question at issue to be this:

"Is a person who failed to claim exemption on the ground that he was a nondeclarant alien, and who now asserts (without contradiction) that he is such an alien, properly in the custody of the military authorities?"

The question is answered in the affirmative, on the ground that the relator was not denied a fair hearing and the local and district boards acted in strict accordance with the procedure laid down by the regulations. The following excerpt from the opinion is of special interest:

"The remaining question is whether the local board wholly lacked jurisdiction. It is contended because nondeclarant aliens are exempted from the draft that no obligation was placed upon relator affirmatively to present his claim for exemption, and this is but another way of stating that by virtue of the act itself relator was automatically exempted.

"It must be conceded at the outset that Congress had the power to subject all persons to the draft whether citizens or aliens.

"The question, then, is whether from the structure of the act it was the intention of Congress that only those who claimed exemption should in proper cases be exempted or whether those entitled to exemption could disregard the procedure provided for by the act and the regulations and show *aliunde*, as here, that they fell within one of the statutory exempt classes.

"The whole plan of the act is undoubtedly to require that those who claim exemption shall affirmatively present their claim to the appropriate body so that that body can determine as a fact whether the person falls within the exempted classes. When, therefore, no such claim is presented and the proceedings of the local and the district boards are regular in every respect, the court can not go outside of the proceedings of the boards to determine independently something which the act required should be determined by these boards." (United States ex rel. Koopowitz v. Finley, United States District Court, Southern District of New York, Mayer, judge, Nov. 3, 1917; War Dept. Bull. 72, Dec. 24, 1917.)

The petitioner was a citizen of the Kingdom of Spain, who had filed his declaration of intention to become a citizen of the United States. He was arrested off the shore of Mexico by a United States war vessel and detained under process for evading the selective draft act. He made application for a writ of habeas corpus, claiming that when arrested he was on his way to Spain, and that he was not subject to the draft act on account of the provisions of the treaty with Spain by which its citizens are exempt from compulsory military service in the United States forces. *Held*, that the petitioner was subject to draft; that the provisions of the draft act, when in conflict with prior treaty stipulations, prevail over them, and that the order to show cause why a writ of habeas corpus should not issue be discharged and the writ denied. (In re Victor Larrucea, United States District Court, Southern District of California, Southern Division. Bledsoe, judge; id.

A nondeclarant citizen of Austria registered under the selective draft act, stating upon his registration card that he was a citizen of Austria. He made no claim for exemption and appeared for medical examination, but when notified to present himself for transportation to camp, he declined to do so and was arrested and brought to camp as a deserter. After his arrival in camp he was given a further opportunity to file affidavits in support of his claim but failed to do so. *Held*, that such man was in the military service of the United States. Section 18 of the Selective Service Regulations, provides (1) that a resident nondeclarant alien is entitled to claim exemption from the draft, (2) that such a claim must be made by the claimant, or by some person in his behalf on a prepared form and filed with the local board before the seventh day after the mailing by the local board to him of the notice of his having been called for

lumbia, or subdivisions thereof, shall be determined in proportion to the population thereof, and credit shall be given to any State, Territory, District, or subdivision thereof, for the number of men who were in the military service of the United States as members of the

service, and (3) that the statement on the registration card of any such person that exemption is claimed shall not be construed or considered as the presentation of a claim for exemption. As pointed out in *United States v. Finley* (245 Fed. 871), alienage is a privilege which like all other claims for exemption must be asserted by the person claiming it in the manner prescribed in the regulations. It is immaterial that subsequent to the happening of the above-recited facts war has been declared upon Austria, since the status of the accused was fixed on the date of his induction into the military service. (Dig. Opin. J. A. G., January, 1918.)

The Supreme Court of the United States has held the selective draft act of May 18, 1917, to be a proper exercise of the war power conferred upon Congress by Article I, section 8, of the Constitution. In response to the contention of appellants that the power conferred upon Congress to raise armies was only coterminous with United States citizenship and could not be exerted so as to cause that citizenship to lose its dependent character and dominate State citizenship, the court pointed out that the power to raise armies, by the very terms of the Constitution, being delegated, is supreme. To the further contention that such power of Congress to raise armies was limited to calling for volunteers and could not include the power to exact enforced military duty by the citizen, the court replied that such a view challenged the existence of all power, "for a governmental power which has no sanction to it and which, therefore, can only be exercised provided the citizen consents to this exertion is in no substantial sense a power." The power is neither repugnant to a free government nor in conflict with the guaranties of the Constitution as to individual liberty. Such power to impose military service on the citizenry was recognized and enforced in England before the Norman conquest. Throughout the course of English constitutional history the existence of this power was unquestioned, though it was long a matter of dispute as to whether it resided in the Crown or in Parliament. The power in question has lately been exercised by the English military service act of January 27, 1916. In the American colonies before the separation from England, the right to enforce military service was unquestioned, as it was in the several States under the Articles of Confederation. It was obviously the intention of the framers of the Constitution to take this power from the States and delegate it to Congress; in fact, the want of power in Congress to raise armies was one of the recognized necessities for the adoption of our Constitution.

The constitutional power of Congress over the militia of the several States is much more limited, and the distinction between such power and the power of Congress to raise armies has been recognized throughout the history of the Nation. In the War of 1812, in the Mexican War, and in the earlier years of the Civil War, the State militia and volunteer forces were relied on by Congress in the creation of our armies; but by the act of March 3, 1863 (C. 75, 12 Stat. 731), every male citizen of the United States between the ages of 20 and 45 was made subject to be called by compulsory draft to service in the National Army at such time and in such numbers as the President in his discretion might find necessary, and under the power thus executed four separate drafts were made by the President and enforced during the years 1863 and 1864. The validity of such draft act was sustained in *Kneidler v. Lane* (45 Pa. St. 238); and a similar draft law enacted by the Confederate Congress pursuant to a clause in the Confederate Constitution identical with that of our own Constitution was upheld by the several courts of the seceding States. The force of the foregoing argument is strengthened by the fact that the fourteenth amendment, as has many times been pointed out, has broadened the national scope of the Government under the Constitution by causing citizenship of the United States to be paramount and dominant instead of being subordinate and derivative. Nor are any of the specific provisions of the act of May 18, 1917, repugnant to the Constitution. The contention that the act is void as a delegation of Federal powers to State officials because of some of its administrative features is wholly without merit; nor is the act void as vesting administrative officers with legislative discretion or with judicial

National Guard on April first, nineteen hundred and seventeen, or who have since said date entered the military service of the United States from any such State, Territory, District, or subdivision, either as members of the Regular Army or the National Guard. *Id.*, 78.

1640. *All drafted forces and officers holding commissions therein subject to Articles of War; duration of service.*—All persons drafted into the service of the United States and all officers accepting commissions in the forces herein provided for shall, from the date of said draft or acceptance, be subject to the laws and regulations governing the Regular Army, except as to promotions, so far as such laws and regulations are applicable to persons whose permanent retention in the military service on the active or retired list is not contemplated by existing law, and those drafted shall be required to serve for the period of the existing emergency unless sooner discharged. *Id.*

(For the ensuing provision of this section see paragraph 1641, post.)

1640a. *Termination of services of persons selected by draft.*—The service of all persons selected by draft and all enlistments under the provisions of the Act entitled "An Act to authorize the President to increase temporarily the Military Establishment of the United States," approved May eighteenth, nineteen hundred and seventeen, shall be for the period of the war, unless sooner terminated by discharge or otherwise. *Sec. 4, Act of June 15, 1917 (40 Stat. 217)*.

1640b. *Proclamation as to peace and transportation of forces to home station.*—Whenever said war shall cease by the conclusion of peace between the United States and its enemies in the present war, the President shall so declare by a public proclamation to that effect, and within four months after the date of said proclamation or as soon thereafter as it may be practicable to transport the forces then serving without the United States to their home station, the provisions of said Act, in so far as they authorize compulsory service by selective draft or otherwise, shall cease to be of force and effect. *Id.*

1641. *Voluntary enlistment or draft of special and technical troops.*—The President is authorized to raise and maintain by voluntary enlistment or draft, as herein provided, special and technical troops as he may deem necessary, and to embody them into organizations and to officer them as provided in the third paragraph

discretion. Finally, the court points out that the contention that the thirteenth amendment is violated by the exaction by the Government from the citizen of the performance of his supreme and noble duty to contribute to the defense of his country in time of war is refuted by its mere statement. (*Arver v. United States*, 245 U. S., 366; Dig. Opin. J. A. G., January, 1918.)

of section one and section nine of this Act. *Sec. 2, Act of May 18, 1917 (40 Stat. 78).*

(For qualifications and conditions for voluntary enlistment see paragraph 1661, post.)

1642. Organizations to be composed of and officered by men coming from same State or locality.—Organizations of the forces herein provided for, except the Regular Army and the divisions authorized in the seventh paragraph of section one, shall, as far as the interests of the service permit, be composed of men who come, and of officers who are appointed from, the same State or locality. *Id.*

1643. Bounties and substitutes prohibited.—No bounty¹ shall be paid to induce any person to enlist in the military service of the United States; and no person liable to military service shall hereafter be permitted or allowed to furnish a substitute for such service; nor shall any substitute be received, enlisted, or enrolled in the military service of the United States; and no such person shall be permitted to escape such service or to be discharged therefrom prior to the expiration of his term of service by the payment of money or any other valuable thing whatsoever as consideration for his release from military service or liability thereto. *Sec. 3, id.*

1644. Exemptions from selective draft.—The Vice President of the United States, the officers, legislative, executive, and judicial, of the United States and of the several States, Territories, and the District of Columbia, regular or duly ordained ministers of religion, students who at the time of the approval of this Act are preparing for the ministry in recognized theological or divinity schools, and all persons in the military² and naval service of the United States shall be exempt from the selective draft herein prescribed; and nothing in this Act contained shall be construed to require or compel any person to serve in any of the forces herein provided for who is found

¹ The question was presented whether the provision in the National Army act, approved May 18, 1917, that "no bounty shall be paid to induce any person to enlist in the military service of the United States," repealed the provision in the act of May 11, 1908 (35 Stat. 110), authorizing the payment of a sum equal to three months' pay to any honorably discharged soldier upon his reenlistment within three months after his discharge:

Held, That the three months' gratuity authorized by the act of May 11, 1908, upon the reenlistment of an honorably discharged soldier is not a bounty within the prohibition of the act of May 18, 1917, and that the former act was not repealed by the latter. (War Dept. Bull. 67, Nov. 30, 1917.)

² An officer in the National Guard whose organization, although recognized by the Militia Bureau, has been neither drafted into the military service of the United States, nor specially designated to be so drafted by orders from the War Department, is personally subject to draft under the selective draft act of May 18, 1917 (Selective Service Regulations, note 3, p. 40, as amended Dec. 10, 1917), and if drafted, he would be drafted as any other citizen of the United States—that is, as a private—and not as an officer in the National Guard. This would not constitute an illegal deprivation of his commission in the National Guard. (Dig. Opin. J. A. G., January, 1918.)

to be a member of any well-recognized religious sect¹ or organization at present organized and existing and whose existing creed or principles forbid its members to participate in war in any form and whose religious convictions are against war or participation therein in accordance with the creed or principles of said religious organizations, but no person so exempted shall be exempted from service in any capacity that the President shall declare to be noncombatant; and the President is hereby authorized to exclude or discharge from said selective draft and from the draft under the second paragraph of section one hereof, or to draft for partial military service only from those liable to draft as in this Act provided, persons of the following classes: County and municipal officials; customhouse clerks; persons employed by the United States in the transmission of the mail; artificers and workmen employed in the armories, arsenals, and navy yards of the United States, and such other persons employed in the service of the United States as the President may designate; pilots; mariners actually employed in the sea service of any citizen or merchant within the United States; persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency; those in a status with respect to persons dependent upon them for support which renders their exclusion or discharge advisable; and those found to be physically or morally deficient. No exemption or exclusion shall continue when a cause therefor no longer exists.²

Sec. 4, id.

1645. *Same—Each State, etc., to furnish quota notwithstanding such exemptions.*—Notwithstanding the exemptions enumerated herein, each State, Territory, and the District of Columbia shall be required to supply its quota in the proportion that its population bears to the total population of the United States. *Id.*, 79.

¹ Members of well-recognized religious sects whose creed or principles forbid the participation in war are exempted only from combatant service, not from noncombatant military service. Service with the American Red Cross or manual labor performed upon farms or gardens operated for the benefit of the Army on land leased or occupied for military purposes is not military service, and can not be designated by the President as noncombatant military service, assignment to which will relieve conscientious objectors from military service. (War Dept. Bull. 67, Nov. 30, 1917.)

The confidential instructions issued by the War Department regarding conscientious objectors related to their treatment while they remained in camp subject to military control; it was not intended thereby to give such men immunity from punishment for an offense such as desertion. (Dig. Opin. J. A. G., February, 1918.)

² *Held*, That a person who enlisted in the Regular Army for seven years in the year 1914 and purchased his release and was honorably discharged in April, 1916, was not exempt from the draft; that the act of May 18, 1917, specifies the exempted classes in clear and unambiguous language, and ought not be enlarged by judicial construction. The petition for the writ of habeas corpus was accordingly dismissed. (Re Jack Cohen, decided Oct. 17, 1917, by U. S. District Court for District of Mass. *Id.*)

1646. *Same—Local boards for States, Territories, etc., to pass upon exemptions.*—The President is hereby authorized, in his discretion, to create and establish throughout the several States and subdivisions thereof and in the Territories and the District of Columbia local boards, and where, in his discretion, practicable and desirable, there shall be created and established one such local board in each county or similar subdivision in each State, and one for approximately each thirty thousand of population in each city of thirty thousand population or over, according to the last census taken or estimates furnished by the Bureau of Census of the Department of Commerce. *Id.*

1647. *Same—Appointment, composition, and qualification.*—Such boards shall be appointed by the President, and shall consist of three or more members, none of whom shall be connected with the Military Establishment, to be chosen from among the local authorities of such subdivisions or from other citizens residing in the subdivision or area in which the respective boards will have jurisdiction under the rules and regulations prescribed by the President. *Id.*

1648. *Same—Powers and duties of.*—Such boards shall have power within their respective jurisdictions to hear and determine, subject to review as hereinafter provided, all questions of exemption under this Act; and all questions of or claims for including or discharging individuals or classes of individuals from the selective draft, which shall be made under rules and regulations prescribed by the President, except any and every question or claim for including or excluding or discharging persons or classes of persons from the selective draft under the provisions of this Act authorizing the President to exclude or discharge from the selective draft "Persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment, or the effective operation of the military forces, or the maintenance of national interest during the emergency."¹ *Id.*

1649. *District boards, appointment, qualifications, and jurisdiction.*—The President is hereby authorized to establish additional

¹ The decisions of local boards upon claims for exemptions, including those based upon alienage, are conclusive. Where a man has been erroneously certified for service through error of law or nonculpable ignorance of the registrant, his case may be reopened by the local board upon request of the adjutant general of the State, either on his own motion or on motion of the military authorities or of the local board. Compiled rulings of Provost Marshal General, No. 12, M. (War Dept. Bull. 72, Dec. 24, 1917.)

Local boards have no power under present presidential regulations to compel the attendance of witnesses, for the regulations do not contemplate the taking of oral testimony, but require the presentation of evidence by affidavit. (*Id.*)

One who claims to be an alien enemy drafted into the military service of the United States has the same rights and obligations as any other person in the service. He may, of course, claim exemption at the proper time because of his alienage, but a determination by his local board that he is not an alien is final. (Dig. Opin. J. A. G., March, 1918.)

boards, one in each Federal judicial district of the United States, consisting of such number of citizens, not connected with the Military Establishment, as the President may determine, who shall be appointed by the President. The President is hereby authorized, in his discretion, to establish more than one such board in any Federal judicial district of the United States, or to establish one such board having jurisdiction of an area extending into more than one Federal judicial district.¹ *Id.*

1650. *Powers and duties on appeals from local boards and in original cases.*—Such district boards shall review on appeal and affirm, modify, or reverse any decision of any local board having jurisdiction in the area in which any such district board has jurisdiction under the rules and regulations prescribed by the President. Such district boards shall have exclusive original jurisdiction within their respective areas to hear and determine all questions or claims for including or excluding or discharging persons or classes of persons from the selective draft, under the provisions of this Act, not included within the original jurisdiction of such local boards. *Id.*

1651. *Same—Decisions final, exception.*—The decisions of such district boards shall be final² except that, in accordance with such rules and regulations as the President may prescribe, he may affirm, modify or reverse any such decision. *Id.*, 80.

¹ A district board has no authority to reopen the case of a man who has been inducted into the military service; but the local board may reopen his case upon permission or direction of the adjutant general of the State. If upon reopening the local board decides that the man should have been exempted, it will so notify the adjutant general, who will in turn notify the commanding officer at the mobilization camp. If a local board has, through error, sent a man to a mobilization camp pending his appeal, and he has been inducted into the military service, and thereafter he presents a certificate of exemption from the district board, he may be discharged by the division commander. Other than above stated, a commanding officer or division commander has no authority to discharge a man on the ground that he should have been exempted by the local board. (War Dept. Bull. 72, Dec. 24, 1917.)

² John Angelus, a citizen of Austria, claimed exemption before a local board on account of alienage and filed an affidavit in support thereof. The local board denied his claim, and the district board affirmed the action of the local board. Angelus brought a bill in equity to restrain the local board from certifying his name to the military authorities for military service. The district court dismissed the bill for lack of jurisdiction, saying:

"I think Congress had no intention that the courts should interfere with this drafting proposition. It is a military measure in time of war, and it would be most subversive of military control and the proper disposition of this extremely difficult new problem if the courts should interfere in this situation. If Congress had intended that the courts should review the action of the local and district boards, it would have so provided, and unless an appellate court says to the contrary I am of the opinion that a district court of the United States should resolve any doubt in favor of the Government; any other view might tend seriously to embarrass the work of raising an army with its manifold difficulties and its tremendous detail. If those who believe they are entitled to exemption were able to apply to the courts, it would be a most disturbing situation and directly contrary to my understanding of the intent of Congress. Congress intended this to be an executive measure, to be carried out by the executive branch of the Government without interference of the courts."

Upon appeal the circuit court of appeals affirmed the order of the district court, holding that under the power to raise and support armies Congress has

1652. Vacancies on local and district boards, filling of.—Any vacancy in any such local board or district board shall be filled by the

the right to raise armies by conscription, and that it did not by the terms of the act unconstitutionally delegate its powers to the President. As to the proper jurisdiction of the local and district boards, the court said:

"But it is said that the act is unconstitutional in that it deprives the complainant of his liberty without due process of law, contrary to the fifth amendment of the Constitution, which declares that no person shall be deprived of life, liberty, or property without due process of law. The Supreme Court has, however, held that a judicial trial does not prevail in every case. (*Murray's Lessee v. Hoboken Land & Improvement Co.*, 18 How., 272, 280, 1855.) And in the *United States v. Ju Toy* (198 U. S., 253, 263, 1905), the court, speaking through Mr. Justice Holmes respecting the Chinese exclusion act, under which the decision of the Department of Labor is final as to the exclusion, said: 'If for the purpose of argument we assume that the fifth amendment applies to him and that to deny entrance to a citizen is to deprive him of liberty, we nevertheless are of the opinion that with regard to him due process of law does not require a judicial trial.' That the decision of the question whether a person of Chinese descent was born in the United States and therefore entitled to enter the country, or whether he was born in China and under the exclusion act not entitled to enter, may be intrusted to an executive officer, whose decision is final, and that it is due process of law, is established law. We see no reason why the same doctrine is not equally applicable to the case in hand. And we therefore hold that the complainant is not deprived of due process of law by being compelled to submit to the final decision of the local and district boards the question whether he is a subject of Austria-Hungary and whether he has not declared his intention to become a citizen of the United States.

* * * * *

"If the complainant is, as he alleges, a subject of Austria-Hungary and has never declared his intention to become a citizen of the United States, as he also alleges, it is perfectly clear that he is not subject to the draft. Whether his allegations in this respect are true must, however, be determined in the manner prescribed by the act.

"It appears from the allegations of the complaint that the complainant filed an affidavit claiming exemption by reason of the fact that he was an alien and that the local board denied his application and that he appealed to district board, which affirmed the local board. It thus appears that the complainant was heard, and it is nowhere alleged that he was denied a full hearing or that the board rejected or refused to consider any evidence that he was entitled to present. In the absence of such a showing we have no doubt that the decision of the board is final and can not be interfered with by the courts.

"We do not, however, agree with the statement of the district judge heretofore quoted that there can be no interference of the courts in the action of these boards. We think a decision of the boards is final only where the board has proceeded in due form and where the party involved is given a fair opportunity to be heard and to present his evidence. But if an opportunity to be heard should be denied, there can be no doubt as to the right of the aggrieved party to come into the courts for the protection of his rights. And we do not believe that the district judge meant to say that a decision must be regarded as final under such circumstances.

"The law courts have a general superintending control by certiorari over all inferior tribunals acting in a judicial or quasi-judicial character. And jurisdiction is not entirely taken away by the words of a statute which declares that the judgment of the inferior tribunal shall be final.

* * * * *

"There can be no doubt, therefore, that under the conscription act, where a board has denied a full and fair hearing to an individual claiming exemption from military service, he might, if restrained of his liberty, sue out a writ of habeas corpus and obtain his liberty.

"But whatever remedy the complainant may have or not have there can be no doubt that he is not entitled to the relief he asks in his bill of complaint. * * *

"While disagreeing, therefore, with the opinion expressed by the district judge that the courts can not interfere with the action of the boards and

President, and any member of any such local board or district board may be removed and another appointed in his place by the President, whenever he considers that the interest of the nation demands it. *Id.*

1653. *Regulations to be prescribed for organization, procedure, etc., of local and district boards of exemption.*—The President shall make rules and regulations governing the organization and procedure of such local boards and district boards, and providing for and governing appeals from such local boards to such district boards, and reviews of the decisions of any local board by the district board hav-

holding as we do that the civil courts can afford relief from orders made by such boards in any case where it is shown that their proceedings have been without or in excess of their jurisdiction or have been so manifestly unfair as to prevent a fair investigation, or that there has been a manifest abuse of the discretion with which they are invested under the act, we nevertheless approve the conclusion he reached that the bill should be dismissed." (*Angelus v. Sullivan* (U. S. C. C. A., 2nd Circ., Oct., 1917), 45 Wash. L. Rep. 691; War Dept. Bull. 67, Nov. 30, 1917.)

In the case of *Franke v. Murray* decided February 14, 1918, by the United States Circuit Court of Appeals for the Eighth Circuit, the appellant, a citizen of the United States of draft age, had duly registered under the selective-draft act (40 Stat. 76), and had claimed exemption on the ground that he was a member of a religious sect whose creed forbade its members to participate in war. Such claim was, however, rejected by the local board, and he was duly notified to report for transportation to a military encampment of the United States. He refused to appear in response to the notice given him, whereupon, by the direction of the board he was arrested and turned over to the respondent, the commandant of Jefferson Barracks, as a deserter from the Army of the United States, to be tried by court-martial. The appellant sued out a writ of habeas corpus, and to a return stating the foregoing facts, he filed a reply, denying that he deserted the military service of the United States, as he was never in such service, never having taken the oath as a soldier. The hearing was had on the pleadings, whereupon the writ was discharged and the appellant remanded to the custody of the respondent. From this judgment the appellant appealed. The court, Hook and Smith, circuit judges, and Trieber, district judge, affirmed the judgment below. The opinion, delivered by Trieber, J., discussed the following points: (1) The constitutionality of the selective-draft act and the regulations thereunder was upheld by the Supreme Court in *Arver v. United States*, 245 U. S. 366. (2) Section 2 of the selective-draft act provides that a selected man is from the date of draft or acceptance subject to the laws and regulations governing the Regular Army, which of course includes the Articles of War. The second article of war (R. S. sec. 1342) enumerates as "persons subject to military law" (among others), "all other persons lawfully called, drafted, or ordered into, or to duty, or for training in, the said service [military service of the United States] from the dates they are required by the terms of the call, draft, or order to obey the same." Hence it is not necessary that a person drafted into the service of the United States should take the oath of office as a soldier in order to become subject to military law. (3) Appellant's claim that if he committed any offense, he can only be prosecuted in a civil court, and that therefore a court-martial is without jurisdiction is likewise untenable. Section 6 of the selective-draft act, making it a misdemeanor to violate any of the provisions of the act or the regulations made thereunder, expressly excepts those subject to military law. (4) Appellant's claim that he is a member of a religious sect whose creed forbids its members to participate in war can not be raised in a collateral proceeding like this. That was a question to be determined under the act of Congress, first by the local board and upon appeal by the district board,^a and the adjudication of such boards, where the appellant has had a fair opportunity to be heard and to present his evidence, is not subject to review by the courts. (Dig. Opin. J. A. G., February, 1918.)

^a Under Section 111, Selective Service Regulations, there is no appeal to the district board on this question.

ing jurisdiction, and determining and prescribing the several areas in which the respective local boards and district boards shall have jurisdiction, and all other rules and regulations necessary to carry out the terms and provisions of this section, and shall provide for the issuance of certificates of exemption, or partial or limited exemptions, and for a system to exclude and discharge individuals from selective draft. *Id.*

1654. *Persons subject to registration; duty to register; failure or refusal to register, punishment.*—All male persons between the ages of twenty-one and thirty, both inclusive, shall be subject to registration in accordance with regulations to be prescribed by the President; and upon proclamation by the President or other public notice given by him or by his direction stating the time and place of such registration it shall be the duty of all persons of the designated ages, except officers and enlisted men of the Regular Army, the Navy, and the National Guard and Naval Militia while in the service of the United States, to present themselves for and submit to registration under the provisions of this Act; and every such person shall be deemed to have notice of the requirements of this Act upon the publication of said proclamation or other notice as aforesaid given by the President or by his direction; and any person who shall willfully fail or refuse to present himself for registration or to submit thereto as herein provided, shall be guilty of a misdemeanor and shall, upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year, and shall thereupon be duly registered.¹ *Sec. 5, id.*

1655. *Same—Precedence given in criminal prosecutions to cases of failure to register.*—In the call of the docket precedence shall be given, in courts trying the same, to the trial of criminal proceedings under this Act. *Id.*

1656. *Same—Age limit for registration; remain subject to draft unless exempted.*—Persons shall be subject to registration as herein provided who shall have attained their twenty-first birthday and who shall not have attained their thirty-first birthday on or before the day set for the registration, and all persons so registered shall be and remain subject to draft into the forces hereby authorized, unless exempted or excused therefrom as in this Act provided.² *Id.*

¹ A person who willfully refuses to present himself for registration or to submit thereto, as provided in the selective-draft act, should be immediately registered and thereafter prosecuted for his misdemeanor. It would defeat the purpose of the act were the involuntary registration postponed until after service of the sentence imposed for the commission of the misdemeanor. (War Dept. Bull. 72, Dec. 24, 1917.)

² Where a registrant is certified by the district board for military service as being within the draft age, he can not be discharged from the military status thus imposed upon him either upon his own application or upon application of his parent or guardian upon the ground that he is not in fact of draft age. In the absence of fraud the decision of the board so certifying is final. (War Dept. Bull. 75, Dec. 31, 1917.)

1657. *Registration of temporary absentees.*—In the case of temporary absence from actual place of legal residence of any person liable to registration as provided herein such registration may be made by mail under regulations to be prescribed by the President.¹ *Id.*

1658. *Services of all departments and officers of United States, States, etc., may be utilized.*—The President is hereby authorized to utilize the service of any or all departments and any or all officers or agents of the United States and of the several States, Territories, and the District of Columbia, and subdivisions thereof, in the execution of this Act, and all officers and agents of the United States and of the several States, Territories, and subdivisions thereof, and of the District of Columbia, and all persons designated or appointed under regulations prescribed by the President whether such appointments are made by the President himself or by the governor or other officer of any State or Territory to perform any duty in the execution of this Act, are hereby required to perform such duty as the President shall order or direct, and all such officers and agents and persons so designated or appointed shall hereby have full authority for all acts done by them in the execution of this Act by the direction of the President.—*Sec. 6, id.*

1659. *Use of penalty envelopes for correspondence.*—Correspondence in the execution of this Act may be carried in penalty envelopes bearing the frank of the War Department. *Id.*, 81.

1660. *Failure or neglect to perform required duties, false registration, etc., punishment.*—Any person charged as herein provided with the duty of carrying into effect any of the provisions of this Act or the regulations made or directions given thereunder who shall fail or neglect to perform such duty; and any person charged with such duty or having and exercising any authority under said Act, regulations, or directions, who shall knowingly make or be a party to the making of any false or incorrect registration, physical examination, exemption, enlistment, enrollment, or muster; and any person who shall make or be a party to the making of any false statement or certificate as to the fitness or liability of himself or any other person for service under the provisions of this Act, or regulations made by the President thereunder, or otherwise evades or aids another to evade the requirements of this Act or of said regulations, or who, in any manner, shall fail or neglect fully to perform any duty re-

¹ Sailors in the merchant marine, who, because of failure to report to their local boards under the Selective Service Regulations, have been delivered at the several cantonments charged with desertion, are drafted into the military service of the United States for military and not civil service. Consequently there is no method by which such men can be transferred to duty in the transport service of the United States, unless that service be operated by the military authorities.

quired of him in the execution of this Act, shall, if not subject to military law, be guilty of a misdemeanor, and upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than one year, or, if subject to military law, shall be tried by court-martial and suffer such punishment as a court-martial may direct. *Id.*

1661. *Qualifications and conditions for voluntary enlistment.*—The qualifications and conditions for voluntary enlistment as herein provided shall be the same as those prescribed by existing law for enlistments in the Regular Army, except that recruits must be between the ages of eighteen and forty years, both inclusive, at the time of their enlistment; and such enlistments shall be for the period of the emergency unless sooner discharged.—*Sec. 7, id.*

(For the ensuing provision of this section see paragraph 1031h $\frac{1}{2}$, ante; and for voluntary enlistment or draft of men necessary to complete and maintain the Regular Army and drafted National Guard organizations at maximum legal strength, and the voluntary enlistment or draft of special and technical troops see paragraphs 1637 and 1641, ante.)

1662. *Grouping of enlisted or drafted units.*—All persons enlisted or drafted under any of the provisions of this Act shall as far as practicable be grouped into units by States and the political subdivisions of the same. *Id.*

(For the preceding provisions of this section see par. 1031h $\frac{1}{2}$, ante; and for ensuing provision see par. 1031h $\frac{1}{2}$.)

1663. *Temporary appointment of general officers.*—The President, by and with the advice and consent of the Senate, is authorized to appoint for the period of the existing emergency such general officers of appropriate grades as may be necessary for duty with brigades, divisions, and higher units in which the forces provided for herein may be organized by the President, and general officers of appropriate grade for the several Coast Artillery districts. *Sec. 8, id.*

(For section three, act of October 6, 1917, authorizing the temporary appointment of generals and lieutenant generals, and designating the number, pay, and allowances, etc., of same, see paragraphs 350d and 350e, ante.)

1663a. *Same—Selection of appointees.*—In so far as such appointments may be made from any of the forces herein provided for, the appointees may be selected irrespective of the grades held by them in such forces. *Id.*

1664. *Same—Vacancies in Regular Army resulting from such appointments.*—Vacancies in all grades in the Regular Army resulting from the appointment of officers thereof to higher grades in the forces other than the Regular Army herein provided for shall be filled by temporary promotions and appointments in the manner prescribed for filling temporary vacancies by section one hundred and fourteen of the national defense Act approved June third, nineteen hundred and sixteen; and officers appointed under the provisions of this Act to higher grades in the forces other than the Regular

Army herein provided for shall not vacate their permanent commissions nor be prejudiced in their relative or lineal standing in the Regular Army.¹ *Id.*

1665. *Period of appointments authorized by sections 1 and 8.*—The appointments authorized and made as provided by the second, third, fourth, fifth, sixth, and seventh paragraphs of section one and by section eight of this Act, and the temporary appointments in the Regular Army authorized by the first paragraph of section one of this Act, shall be for the period of the emergency, unless sooner terminated by discharge or otherwise. *Sec. 9, id., 32.*

1666. *Discharge of appointed officers; military boards to report upon capacity, qualifications, conduct, and efficiency of officers.*—The President is hereby authorized to discharge any officer from the office held by him under such appointment for any cause which, in the judgment of the President, would promote the public service; and the general commanding any division and higher tactical organization or territorial department is authorized to appoint from time to time military boards of not less than three nor more than five officers of the forces herein provided for to examine into and report upon the capacity, qualification, conduct, and efficiency of any commissioned officer within his command other than officers of the Regular Army holding permanent or provisional commissions therein.² *Id.*

¹ An acceptance of a Regular Army commission, whether permanent or temporary, in a lower grade than that held by an officer of the Regular Army in the temporary forces does not affect the status of the officer in the temporary forces, for the act of May 18, 1917, provides that officers of the Regular Army appointed to higher grades in such temporary forces shall not vacate their permanent commissions nor be prejudiced in their relative or lineal standing in the Regular Army. (War Dept. Bul. 75, Dec. 31, 1917.)

² Upon the draft of the National Guard into the Federal service officers thereof became officers of the United States Army and can thereafter be discharged only under section 9 of the act of May 18, 1917. Paragraph 19, Special Regulations 55, War Department, 1917, does not apply. (War Dept. Bull. 67, Nov. 30, 1917.)

An efficiency board convened pursuant to section 77 of the national defense act completed its action prior to August 5, 1917, recommending the discharge of certain officers of the Illinois National Guard, but no order was issued thereon until after the draft of said officers on August 5, 1917.

Held, That no valid order could be issued thereon, and that said officers may be discharged from service only under section 9 of the selective-draft act. The discharge may be made by the President for any cause which, in his judgment, would promote the public service; or it may be made by the President after determination by a board of officers that the officers in question are unfit. (War Dept. Bull. 75, Dec. 31, 1917.)

Under section 9 of the act of May 18, 1917, boards appointed to examine into and report upon the capacity, qualification, conduct, and efficiency of any commissioned officer other than officers of the Regular Army may be appointed by the general commanding any division or higher tactical organization or territorial department. If such a board finds adversely to the continuance in the service of any such officer, its finding must be transmitted to the President for his approval. To enable the President to perform intelligently his function in connection with such finding, the same should be accompanied by a stenographic report of the whole proceedings, or, if that be impracticable, by a résumé of the evidence submitted to the board sufficiently full to show the character of the testimony on which such finding is based.) Dig. Opin. J. A. G., March, 1918.)

1667. *Rank of members of boards, and approval of report of by President.*—Each member of such board shall be superior in rank to the officer whose qualifications are to be inquired into, and if the report of such board be adverse to the continuance of any such officer and be approved by the President, such officer shall be discharged from the service at the discretion of the President with one month's pay and allowances. *Id.*

1668. *Pay, allowances, etc., of officers and enlisted men.*—All officers and enlisted men of the forces herein provided for other than the Regular Army shall be in all respects on the same footing as to pay, allowances, and pensions as officers and enlisted men of corresponding grades and length of service in the Regular Army.¹ *Sec. 10, id.*

(For the ensuing provisions of this section see paragraphs 695b and 695c, ante.)

1669. *Repealing clause.*—All laws and parts of laws in conflict with the provisions of this Act are hereby suspended during the period of this emergency. *Sec. 14, id.*

(For sections 11, 12, and 13 of this act see paragraphs 938½a, 1295a–1295f, ante.)

¹ Drafted men who are exempted after their arrival at the mobilization camp are entitled to receive pay for the time spent after their order to the camp until their discharge and, in addition thereto, an amount equal to 3½ cents per mile from the mobilization camp to the place from which they were ordered to said camp. (War Dept. Bull. 67, Nov. 30, 1917.)

CHAPTER XLIII.

FOREIGN RELATIONS.¹

Par.	Par.
Disturbance of foreign relations ----- 1670-1674	Same—Conspiracy to injure or destroy property of foreign government within United States, etc., punishment----- 1674
Untrue statements, etc., to influence conduct of foreign government, etc., to injury of United States, etc., punishment----- 1670	Passports ----- 1675-1678
Same—Falsely assuming or pretending to be diplomatic or consular officer, etc., of foreign government, punishment. 1671	Application for, contents, fees. 1675
Same—Acting as agent of foreign government without notice to Secretary of State, punishment ----- 1672	Same—False statements in application for; use, etc., of passport obtained through false statement, punishment. 1676
Same—"Foreign government" defined ----- 1673	Same—Use, etc., of passport issued, etc., for another, or in violation of its conditions, etc.; furnishing, etc., passport for use by person other than person for whom originally issued, etc., punishment----- 1677
	Same—False making, forging, etc., punishment ----- 1678

DISTURBANCE OF FOREIGN RELATIONS.

1670. *Untrue statements, etc., to influence conduct of foreign government, etc., to injury of United States, etc., punishment.*—Whoever, in relation to any dispute or controversy between a foreign government and the United States, shall willfully and knowingly make any untrue statement, either orally or in writing, under oath before any person authorized and empowered to administer oaths, which the affiant has knowledge or reason to believe will, or may be used to influence the measures or conduct of any foreign government, or of any officer or agent of any foreign government, to the injury of the United States, or with a view or intent to influence any measure of or action by the Government of the United States, or

¹ See also chapter entitled "Public Property," Espionage; and chapter entitled "The Employment of Military Force." Neutrality and Trading With the Enemy.

any branch thereof, to the injury of the United States, shall be fined not more than \$5,000 or imprisoned not more than five years, or both. *Title VIII, Sec. 1, Act of June 15, 1917 (40 Stat. 226).*

1671. *Same—Falsely assuming or pretending to be diplomatic or consular officer, etc., of foreign government, punishment.*—Whoever within the jurisdiction of the United States shall falsely assume or pretend to be a diplomatic or consular, or other official of a foreign government duly accredited as such to the Government of the United States with intent to defraud such foreign government or any person, and shall take upon himself to act as such, or in such pretended character shall demand or obtain, or attempt to obtain from any person or from said foreign government, or from any officer thereof, any money, paper, document, or other thing of value, shall be fined not more than \$5,000, or imprisoned not more than five years, or both. *Sec. 2, id.*

1672. *Same—Acting as agent of foreign government without notice to Secretary of State, punishment.*—Whoever, other than a diplomatic or consular officer or attaché, shall act in the United States as an agent of a foreign government without prior notification to the Secretary of State, shall be fined not more than \$5,000, or imprisoned not more than five years, or both. *Sec. 3, id.*

1673. *Same—"Foreign government" defined.*—The words "foreign government," as used in this Act and in sections¹ one hundred and fifty-six, one hundred and fifty-seven, one hundred and sixty-one, one hundred and seventy, one hundred and seventy-one, one hundred and seventy-two, one hundred and seventy-three, and two hundred and twenty of the Act of March fourth, nineteen hundred and nine, entitled "An Act to codify, revise, and amend the penal laws of the United States," shall be deemed to include any Government, faction, or body of insurgents within a country with which the United States is at peace, which Government, faction, or body of insurgents may or may not have been recognized by the United States as a Government. *Sec. 4, id.*

1674. *Same—Conspiracy to injure or destroy property of foreign government within United States, etc., punishment.*—If two or more persons within the jurisdiction of the United States conspire to injure or destroy specific property situated within a foreign country and belonging to a foreign Government or to any political subdivision thereof with which the United States is at peace, or any railroad, canal, bridge, or other public utility so situated, and if one or more of such persons commits an act within the jurisdiction of the United States to effect the object of the conspiracy, each of the parties to the

¹ See 35 Stat. 1117, 1118, 1120, 1121, and 1132. These sections of the Federal Penal Code forbid the counterfeiting and uttering of foreign securities and notes of foreign banks, counterfeiting foreign coins and stamps, etc.

conspiracy shall be fined not more than \$5,000, or imprisoned not more than three years, or both. Any indictment or information under this section shall describe the specific property which it was the object of the conspiracy to injure or destroy. *Sec. 5, id.*

(For general provisions of this act applicable to this title, see paragraphs 1475q-1475t.)

PASSPORTS.

1675. *Application for, contents, fees.*—Before a passport is issued to any person by or under authority of the United States such person shall subscribe to and submit a written application duly verified by his oath before a person authorized and empowered to administer oaths, which said application shall contain a true recital of each and every matter of fact which may be required by law or by any rules authorized by law to be stated as a prerequisite to the issuance of any such passport. Clerks of United States courts, agents of the Department of State, or other Federal officials authorized, or who may be authorized, to take passport applications and administer oaths thereon, shall collect, for all services in connection therewith, a fee of \$1, and no more, in lieu of all fees prescribed by any statute of the United States, whether the application is executed singly, in duplicate, or in triplicate. *Title IX, Sec. 1, id., 227.*

1676. *Same—False statements in application for; use, etc., of passport obtained through false statement, punishment.*—Whoever shall willfully and knowingly make any false statement in an application for passport with intent to induce or secure the issuance of a passport under the authority of the United States, either for his own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws, or whoever shall willfully and knowingly use or attempt to use, or furnish to another for use, any passport the issue of which was secured in any way by reason of any false statement, shall be fined not more than \$2,000 or imprisoned not more than five years or both. *Sec. 2, id.*

1677. *Same—Use, etc., of passport issued, etc., for another, or in violation of its conditions, etc.; furnishing, etc., passport for use by person other than person for whom originally issued, etc., punishment.*—Whoever shall willfully and knowingly use, or attempt to use, any passport issued or designed for the use of another than himself, or whoever shall willfully and knowingly use or attempt to use any passport in violation of the conditions or restrictions therein contained, or of the rules prescribed pursuant to the laws regulating the issuance of passports, which said rules shall be printed on the passport; or whoever shall willfully and knowingly furnish, dispose of, or deliver a passport to any person, for use by another than the person for whose use it was originally issued and designed, shall be fined

not more than \$2,000 or imprisoned not more than five years, or both. *Sec. 3, id.*

1678. *Same—False making, forging, etc., punishment.*—Whoever shall falsely make, forge, counterfeit, mutilate, or alter, or cause or procure to be falsely made, forged, counterfeited, mutilated, or altered any passport or instrument purporting to be a passport, with intent to use the same, or with intent that the same may be used by another; or whoever shall willfully or knowingly use, or attempt to use, or furnish to another for use any such false, forged, counterfeited, mutilated, or altered passport or instrument purporting to be a passport, or any passport validly issued which has become void by the occurrence of any condition therein prescribed invalidating the same, shall be fined not more than \$2,000 or imprisoned not more than five years, or both. *Sec. 4, id.*

(For general provisions of this act applicable to this title, see paragraphs 1475q-1475t.)

CHAPTER XLIV.

CONSERVATION OF SUPPLY AND CONTROL OF DISTRIBUTION OF FOOD AND FUEL.

	Par.		Par.
Authority, etc., conferred for----	1679	Same—Retailers defined -----	1692
Same—Rules and regulations by President -----	1680	Hoarding necessities, punishment -----	1693
Same—Use of agencies and services of persons without compensation -----	1681	Same—Hoarding defined -----	1694
Same—Pecuniary interest of agents or employees in contracts, etc., forbidden -----	1682	Same—Transactions of exchanges, boards of trades, etc., excepted -----	1695
Same—Recommendations of agents or employees as to contracts, etc., forbidden -----	1683	Same—Accumulating and withholding farm and garden products, etc., by farmers, etc., not hoarding -----	1696
Same—Punishment; law forbidding agent of corporation, etc., to act as agent of United States not repealed -----	1684	Hoarding necessities, seizure by libel, jurisdiction and sale of necessities seized -----	1697
Destroying, wasting, or monopolizing necessities; unfair discriminations, etc., or unjust charges, etc.; conspiracies, etc., to limit facilities for transportation, distribution, manufacture, etc.; or exact excessive prices therefor -----	1685	Same—Procedure -----	1698
License to import, manufacture, etc., necessities -----	1686	Same—Duties of district attorneys -----	1699
Same—Issue of licenses, regulations for -----	1687	Destroying necessities to enhance price, punishment -----	1700
Unjust, unreasonable, etc., storage charges, commissions, profits, or practices -----	1688	Conspiring to limit facilities for transporting, etc., necessities, etc., punishment -----	1701
Same—President to find what constitutes just, reasonable, etc., storage charges, etc. -----	1689	Requisition of food, etc., for Army or Navy or public use connected with public defense -----	1702
Carrying on business without license or after its revocation or suspension, punishment -----	1690	Same—Determination of value and payment therefor -----	1703
Same—Persons excepted -----	1691	Same—Necessaries required by natural persons for consumption and seed for cultivating land excepted -----	1704
		Purchase, etc., and sale of wheat, flour, meal, beans, and potatoes by President -----	1705
		Same—Minimum price therefor -----	1706
		Same—Disposition of moneys received from sales -----	1707

	Par.		Par.
Requisition and operation by President of factories, packing houses, oil pipe lines, mines, etc., to procure necessities for support of Army or Navy for national defense----	1708	Restrictions on use of food, etc., for production of malt or vinous liquors for beverage purposes-----	1727
Same—Restoration of factories, etc., to owners-----	1709	Same—Notice of restrictions---	1728
Same—Compensation for property, etc., requisitioned-----	1710	Violation of section, punishment-----	1729
Same—Determination of value of property, etc., requisitioned--	1711	Manufacture of vinous or malt liquors in prohibition territory not permitted by section--	1730
Regulations by President for carrying out provisions of section-----	1712	Taking over by Government of distilled spirits in bond or in stock-----	1731
Disposition of moneys received from operation, etc., of factories, etc-----	1713	Same—Payment therefor, determination of value-----	1732
Regulations by President to prevent "evil practices"-----	1714	Interference, etc., with officers, etc., of United States in performance of duties authorized by act, punishment-----	1733
Same—Scope of such regulations-----	1715	Appropriation for rent, printing, payment of employees, etc----	1734
Same—Records and returns of clearing houses, clearing associations, etc-----	1716	Appropriation for other uses made necessary by act-----	1735
Punishment for violation of such regulations-----	1717	Same—Monthly statement of disbursements to be filed with Secretary of Senate and Clerk of House-----	1736
Stimulation of the production of wheat-----	1718	Persons employed under act not exempt from military service under draft law-----	1737
Same—Determination and fixing of reasonable guaranteed prices for wheat-----	1719	Annual report to Congress of proceedings under act-----	1738
Same—Regulations in connection with guaranteed prices---	1720	Same—Contents of report-----	1739
Same—Minimum of guaranteed price made absolute-----	1721	Partial invalidity of act not to affect other portions-----	1740
Levy of duty on imported wheat to maintain stability of guaranteed prices-----	1721a	Words defined-----	1741
Purchase by United States of wheat for which price has been guaranteed, and sale, etc., of wheat so bought-----	1722	Same—Act, etc., of official, etc., of partnership, etc., deemed act, etc., of such partnership, etc-----	1742
Same—Disposition of moneys received from such sale-----	1723	Time when act ceases to be operative-----	1743
Foods, fruits, etc., not to be used in production of distilled spirits for beverage purposes--	1724	Same—Terminations of operative effect of act not to affect acts done or rights, etc., accrued or offenses committed prior thereto-----	1744
Use of food, etc., for production of distilled spirits for other than beverage purposes-----	1725	Fixing price of coal and coke, regulation of production, sale, etc., of, and agency for exercising authority in connection with-----	1745
Importation of distilled spirits prohibited-----	1726		

	Par.		Par.
Same—Taking over plants, etc., on failure to conform to price regulations, and operations of same by Government	1746	Same—Fixing and publishing maximum prices for producers and dealers	1757
Payment of compensation to owners of plants, etc., requisitioned	1747	Same—Determining maximum price for producers	1758
Same—Determination of value, method of	1748	Same—Determining maximum price for dealers	1759
Regulations for operation of plants, etc., requisitioned	1749	Same—Prior contracts made in good faith not to be affected ..	1760
Purchase by Government of coal and coke, and sale thereof; regulations therefor	1750	Violation of sections, punishment	1761
Notice to owners of purchase of output who are to cease shipments and sales on their own account thereafter	1751	Right of United States or other Governments at war with Germany to purchase, etc., coal and coke at prices to be agreed upon not affected	1762
Payment for coal and coke purchased by Government, determination of value	1752	Storing, holding, destroying, etc., food, fuel, etc., to limit supply, etc., punishment	1763
Prices for sale of coal and coke purchased by Government	1753	Same—Persons excepted	1764
Disposition of moneys received from sales	1754	Same—Holdings or accumulations excepted	1765
Federal Trade Commission to inquire into cost of production of coal and coke	1755	Unlawful restraint and monopolies Act not repealed	1766
Same—Books, papers, etc., of mine operators, etc., to be produced, and data and information to be furnished	1756	Acquisition by United States of stocks of nitrate of soda for increasing agricultural production, and sale thereof	1767
		Same—Appropriation for, regulation and agencies as to	1768
		Same—Disposition of moneys received from sales	1769

CONSERVATION OF SUPPLY AND CONTROL OF DISTRIBUTION OF FOOD AND FUEL.

1679. Authority, etc., conferred for.—By reason of the existence of a state of war, it is essential to the national security and defense, for the successful prosecution of the war, and for the support and maintenance of the Army and Navy, to assure an adequate supply and equitable distribution, and to facilitate the movement, of foods, feeds, fuel including fuel oil and natural gas, and fertilizer and fertilizer ingredients, tools, utensils, implements, machinery, and equipment required for the actual production of foods, feeds, and fuel, hereafter in this Act called necessities; to prevent, locally or generally, scarcity, monopolization, hoarding, injurious speculation, manipulations, and private controls, affecting such supply, distribution, and movement; and to establish and maintain governmental control of such necessities during the war. For such purposes the instrumentalities, means, methods, powers, authorities, duties, obligations, and

prohibitions hereinafter set forth are created, established, conferred, and prescribed. *Sec. 1, Act of Aug. 10, 1917 (40 Stat., 276).*

1680. *Same—Rules and regulations by President.*—The President is authorized to make such regulations and to issue such orders as are essential effectively to carry out the provisions of this Act. *Id.*

1681. *Same—Use of agencies and services of persons without compensation.*—In carrying out the purposes of this Act the President is authorized to enter into any voluntary arrangements or agreements, to create and use any agency or agencies, to accept the services of any person without compensation, to cooperate with any agency or person, to utilize any department or agency of the Government, and to coordinate their activities so as to avoid any preventable loss or duplication of effort or funds. *Sec. 2, Id.*

1682. *Same—Pecuniary interest of agents or employees in contracts, etc., forbidden.*—No person acting either as a voluntary or paid agent or employee of the United States in any capacity, including an advisory capacity, shall solicit, induce, or attempt to induce any person or officer authorized to execute or to direct the execution of contracts on behalf of the United States to make any contract or give any order for the furnishing to the United States of work, labor, or services, or of materials, supplies, or other property of any kind or character, if such agent or employee has any pecuniary interest in such contract or order, or if he or any firm of which he is a member, or corporation, joint-stock company, or association of which he is an officer or stockholder, or in the pecuniary profits of which he is directly or indirectly interested, shall be a party thereto.¹ *Sec. 3, id.*

1683. *Same—Recommendations of agents or employees as to contracts, etc., forbidden.*—Nor shall any agent or employee make, or permit any committee or other body of which he is a member to make, or participate in making, any recommendation concerning such contract or order to any council, board, or commission of the United States, or any member or subordinate thereof, without making to the best of his knowledge and belief a full and complete disclosure in writing to such council, board, commission, or subordinate of any and every pecuniary interest which he may have in such contract or order and of his interest in any firm, corporation, company, or asso-

¹ Under present statutory provisions (sec. 41 of Criminal Code; sec. 3 of act of Aug. 10, 1917) and Army Regulations (par. 521), an officer or employee in the military service is prohibited from acting as an officer or agent of the Government in making any contract or placing any order with a firm or corporation in which he may have a pecuniary interest, and from inducing or advising any authorized officer to make a contract or place an order with such firm or corporation. Otherwise, there is no objection to an officer or employee in the military service entering into contractual relations with the Government or owning an interest in a firm or corporation which enters into contracts with the Government. (War. Dept. Bull. 75, Dec. 31, 1917.)

ciation being a party thereto. Nor shall he participate in the awarding of such contract or giving such order. *Id.*, 277.

1684. *Same—Punishment; law forbidding agent of corporation, etc., to act as agent of United States not repealed.*—Any willful violation of any of the provisions of this section shall be punishable by a fine of not more than \$10,000, or by imprisonment of not more than five years, or both: *Provided*, That the provisions of this section shall not change, alter or repeal section forty-one of chapter three hundred and twenty-one, Thirty-fifth Statutes at Large.¹ *Id.*

1685. *Destroying, wasting, or monopolizing necessities; unfair discriminations, etc., or unjust charges, etc.; conspiracies, etc., to limit facilities for transportation, distribution, manufacture, etc.; or exact excessive prices therefor.*—It is hereby made unlawful for any person willfully to destroy any necessities for the purpose of enhancing the price or restricting the supply thereof; knowingly to commit waste or willfully to permit preventable deterioration of any necessities in or in connection with their production, manufacture, or distribution; to hoard, as defined in section six of this Act, any necessities; to monopolize or attempt to monopolize, either locally or generally, any necessities; to engage in any discriminatory and unfair, or any deceptive or wasteful practice or device, or to make any unjust or unreasonable rate or charge, in handling or dealing in or with any necessities; to conspire, combine, agree, or arrange with any other person, (a) to limit the facilities for transporting, producing, harvesting, manufacturing, supplying, storing, or dealing in any necessities; (b) to restrict the supply of any necessities; (c) to restrict distribution of any necessities; (d) to prevent, limit, or lessen the manufacture or production of any necessities in order to enhance the price thereof, or (e) to exact excessive prices for any necessities; or to aid or abet the doing of any act made unlawful by this section. *Sec. 4, id.*

1686. *Licenses to import, manufacture, etc., necessities.*—From time to time, whenever the President shall find it essential to license the importation, manufacture, storage, mining, or distribution of any necessities, in order to carry into effect any of the purposes of this Act, and shall publicly so announce, no person shall, after a date fixed in the announcement, engage in or carry on any such business specified in the announcement of importation, manufacture, storage, mining, or distribution of any necessities as set forth in such announcement, unless he shall secure and hold a license issued pursuant to this section. *Sec. 5, id.*

1687. *Same—Issue of licenses; regulations for.*—The President is authorized to issue such licenses and to prescribe regulations for the

¹ Sec. 41, Criminal Code, see par. 1250, ante, or 35 Stat., 1097.

issuance of licenses and requirements for systems of accounts and auditing of accounts to be kept by licensees, submission of reports by them, with or without oath or affirmation, and the entry and inspection by the President's duly authorized agents of the places of business of licensees. *Id.*

1688. *Unjust, unreasonable, etc., storage charges, commissions, profits, or practices.*—Whenever the President shall find that any storage charge, commission, profit, or practice of any licensee is unjust, or unreasonable, or discriminatory and unfair, or wasteful, and shall order such licensee, within a reasonable time fixed in the order, to discontinue the same, unless such order, which shall recite the facts found, is revoked or suspended, such licensee shall, within the time prescribed in the order, discontinue such unjust, unreasonable, discriminatory and unfair storage charge, commission, profit, or practice. *Id.*

1689. *Same—President to find what constitutes just, reasonable, etc., storage charges, etc.*—The President may, in lieu of any such unjust, unreasonable, discriminatory, and unfair storage charge, commission, profit, or practice, find what is a just, reasonable, non-discriminatory and fair storage charge, commission, profit, or practice, and in any proceeding brought in any court such order of the President shall be prima facie evidence. *Id.*, 278.

1690. *Carrying on business without license or after its revocation or suspension, punishment.*—Any person who, without a license issued pursuant to this section, or whose license shall have been revoked, knowingly engages in or carries on any business for which a license is required under this section, or willfully fails or refuses to discontinue any unjust, unreasonable, discriminatory and unfair storage charge, commission, profit, or practice, in accordance with the requirement of an order issued under this section, or any regulation prescribed under this section, shall, upon conviction thereof, be punished by a fine not exceeding \$5,000, or by imprisonment for not more than two years, or both. *Id.*

1691. *Same—Persons excepted.*—This section shall not apply to any farmer, gardener, cooperative association of farmers or gardeners, including live-stock farmers, or other persons with respect to the products of any farm, garden, or other land owned, leased, or cultivated by him, nor to any retailer with respect to the retail business actually conducted by him, nor to any common carrier, nor shall anything in this section be construed to authorize the fixing or imposition of a duty or tax upon any article imported into or exported from the United States or any State, Territory, or the District of Columbia. *Id.*

1692. *Same—Retailers defined.*—For the purposes of this Act a retailer shall be deemed to be a person, copartnership, firm, corpora-

tion, or association not engaging in the wholesale business whose gross sales do not exceed \$100,000 per annum. *Id.*

1693. *Hoarding necessities, punishment.*—Any person who willfully hoards any necessities shall upon conviction thereof be fined not exceeding \$5,000 or be imprisoned for not more than two years, or both. *Sec. 6, id.*

1694. *Same—Hoarding defined.*—Necessaries shall be deemed to be hoarded within the meaning of this Act when either (a) held, contracted for, or arranged for by any person in a quantity in excess of his reasonable requirements for use or consumption by himself and dependents for a reasonable time; (b) held, contracted for, or arranged for by any manufacturer, wholesaler, retailer, or other dealer in a quantity in excess of the reasonable requirements of his business for use or sale by him for a reasonable time, or reasonably required to furnish necessities produced in surplus quantities seasonally throughout the period of scant or no production; or (c) withheld, whether by possession or under any contract or arrangement, from the market by any person for the purpose of unreasonably increasing or diminishing the price. *Id.*

1695. *Same—Transactions of exchange, boards of trade, etc., excepted.*—This section shall not include or relate to transactions on any exchange, board of trade, or similar institution or place of business as described in section thirteen of this Act that may be permitted by the President under the authority conferred upon him by said section thirteen.¹ *Id.*

1696. *Same—Accumulating and withholding farm and garden products, etc., by farmers, etc., not hoarding.*—Any accumulating or withholding by any farmer or gardener, cooperative association of farmers or gardeners, including live-stock farmers, or any other person, of the products of any farm, garden, or other land owned, leased, or cultivated by him shall not be deemed to be hoarding within the meaning of this Act. *Id.*

1697. *Hoarding necessities, seizure by libel, jurisdiction, and sale of necessities seized.*—Whenever any necessities shall be hoarded as defined in section six they shall be liable to be proceeded against in any district court of the United States within the district where the same are found and seized by a process of libel for condemnation, and if such necessities shall be adjudged to be hoarded they shall be disposed of by sale in such manner as to provide the most equitable distribution thereof as the court may direct, and the proceeds thereof, less the legal costs and charges, shall be paid to the party entitled thereto. *Sec. 7, id.*

1698. *Same—Procedure.*—The proceedings of such libel cases shall conform as near as may be to the proceedings in admiralty, except

¹ See paragraphs 1714–1717, post.

that either party may demand trial by jury of any issue of fact joined in any such case, and all such proceedings shall be at the suit of and in the name of the United States. *Id.*, 279.

1699. *Same—Duties of district attorneys.*—It shall be the duty of the United States attorney for the proper district to institute and prosecute any such action upon presentation to him of satisfactory evidence to sustain the same. *Id.*

1700. *Destroying necessities to enhance price, punishment.*—Any person who willfully destroys any necessities for the purpose of enhancing the price or restricting the supply thereof shall, upon conviction thereof, be fined not exceeding \$5,000 or imprisoned for not more than two years, or both. *Sec. 8, id.*

1701. *Conspiring to limit facilities for transporting, etc., necessities, etc., punishment.*—Any person who conspires, combines, agrees, or arranges with any other person (a) to limit the facilities for transporting, producing, manufacturing, supplying, storing, or dealing in any necessities; (b) to restrict the supply of any necessities; (c) to restrict the distribution of any necessities; (d) to prevent, limit, or lessen the manufacture or production of any necessities in order to enhance the price thereof shall, upon conviction thereof, be fined not exceeding \$10,000 or be imprisoned for not more than two years, or both. *Sec. 9, id.*

1702. *Requisition of food, etc., for Army or Navy or public use connected with public defense.*—The President is authorized, from time to time, to requisition foods, feeds, fuels, and other supplies necessary to the support of the Army or the maintenance of the Navy, or any other public use connected with the common defense, and to requisition, or otherwise provide, storage facilities for such supplies; and he shall ascertain and pay a just compensation therefor. *Sec. 10, id.*

1703. *Same—Determination of value and payment therefor.*—If the compensation so determined be not satisfactory to the person entitled to receive the same, such person shall be paid seventy-five per centum of the amount so determined by the President, and shall be entitled to sue the United States to recover such further sum as, added to said seventy-five per centum will make up such amount as will be just compensation for such necessities or storage space, and jurisdiction is hereby conferred on the United States District Courts to hear and determine all such controversies. *Id.*

1704. *Same—Necessaries required by natural persons for consumption and seed for cultivating lands excepted.*—Nothing in this section, or in the section that follows, shall be construed to require any natural person to furnish to the Government any necessities held by him and reasonably required for consumption or use by himself and dependents, nor shall any person, firm, corporation, or association

be required to furnish to the Government any seed necessary for the seeding of land owned, leased, or cultivated by them. *Id.*

1705. *Purchase, etc., and sale of wheat, flour, meal, beans, and potatoes by President.*—The President is authorized from time to time to purchase, to store, to provide storage facilities for, and to sell for cash at reasonable prices, wheat, flour, meal, beans, and potatoes. *Sec. 11, id.*

1706. *Same—Minimum price therefor.*—If any minimum price shall have been theretofore fixed, pursuant to the provisions of section fourteen of this Act, then the price paid for any such articles so purchased shall not be less than such minimum price. *Id.*

1707. *Same—Disposition of moneys received from sales.*—Any moneys received by the United States from or in connection with the disposal by the United States of necessities under this section may, in the discretion of the President, be used as a revolving fund for further carrying out the purposes of this section. Any balance of such moneys not used as part of such revolving fund shall be covered into the Treasury as miscellaneous receipts. *Id.*

1708. *Requisition and operation by President of factories, packing houses, oil pipe lines, mines, etc., to procure necessities for support of Army or Navy or common defense.*—Whenever the President shall find it necessary to secure an adequate supply of necessities for the support of the Army or the maintenance of the Navy, or for any other public use connected with the common defense, he is authorized to requisition and take over, for use or operation by the Government, any factory, packing house, oil pipe line, mine, or other plant, or any part thereof, in or through which any necessities are or may be manufactured, produced, prepared, or mined, and to operate the same. *Sec. 12, id.*

1709. *Same—Restoration of factories, etc., to owners.*—Whenever the President shall determine that the further use or operation by the Government of any such factory, mine, or plant, or part thereof, is not essential for the national security or defense, the same shall be restored to the person entitled to the possession thereof. *Id., 280.*

1710. *Same—Compensation for the property, etc., requisitioned.*—The United States shall make just compensation, to be determined by the President, for the taking over, use, occupation, and operation by the Government of any such factory, mine, or plant, or part thereof. *Id.*

1711. *Same—Determination of value of property, etc., requisitioned.*—If the compensation so determined be unsatisfactory to the person entitled to receive the same, such person shall be paid seventy-five per centum of the amount so determined by the President, and shall be entitled to sue the United States to recover such further sum as, added to said seventy-five per centum, will make up such

amount as will be just compensation, in the manner provided by section twenty-four, paragraph twenty, and section one hundred and forty-five of the Judicial Code.¹ *Id.*

1712. *Regulations by President for carrying out provisions of section.*—The President is authorized to prescribe such regulations as he may deem essential for carrying out the purposes of this section, including the operation of any such factory, mine, or plant, or part thereof, the purchase, sale, or other disposition of articles used, manufactured, produced, prepared, or mined therein, and the employment, control, and compensation of employees. *Id.*

1713. *Disposition of moneys received from operation, etc., of factories, etc.*—Any moneys received by the United States from or in connection with the use or operation of any such factory, mine, or plant, or part thereof, may, in the discretion of the President, be used as a revolving fund for the purpose of the continued use or operation of any such factory, mine, or plant, or part thereof, and the accounts of each such factory, mine, plant, or part thereof, shall be kept separate and distinct. Any balance of such money not used as part of such revolving fund shall be paid into the Treasury as miscellaneous receipts. *Id.*

1714. *Regulations by President to prevent "evil practices."*—Whenever the President finds it essential in order to prevent undue enhancement, depression, or fluctuation of prices of, or in order to prevent injurious speculation in, or in order to prevent unjust market manipulation or unfair and misleading market quotations of the prices of necessities, hereafter in this section called evil practices, he is authorized to prescribe such regulations governing, or may either wholly or partly prohibit, operations, practices, and transactions at, on, in, or under the rules of any exchange, board of trade, or similar institution or place of business as he may find essential in order to prevent, correct, or remove such evil practices. *Sec. 13, id.*

1715. *Same—Scope of such regulations.*—Such regulations may require all persons coming within their provisions to keep such records and statements of account, and may require such persons to make such returns, verified under oath or otherwise, as will fully and correctly disclose all transactions at, in, or on, or under the rules of any such exchange, board of trade, or similar institution or place of business, including the making, execution, settlement, and fulfillment thereof. *Id.*

1716. *Same—Records and returns of clearing houses, clearing associations, etc.*—He may also require all persons acting in the capacity of a clearing house, clearing association, or similar institution, for the purpose of clearing, settling, or adjusting transactions at, in, or

¹ See paragraphs 278 and 277, ante, or 36 Stat. 1093, 1136.

on, or under the rules of any such exchange, board of trade, or similar institution or place of business, to keep such records and to make such returns as will fully and correctly disclose all facts in their possession relating to such transactions, and he may appoint agents to conduct the investigations necessary to enforce the provisions of this section and all rules and regulations made by him in pursuance thereof, and may fix and pay the compensation of such agents. *Id.*

1717. *Punishment for violation of such regulations.*—Any person who willfully violates any regulation made pursuant to this section, or who knowingly engages in any operation, practice, or transaction prohibited pursuant to this section, or who willfully aids or abets any such violation or any such prohibited operation, practice, or transaction, shall, upon conviction thereof, be punished by a fine not exceeding \$10,000 or by imprisonment for not more than four years, or both. *Id.*

1718. *Stimulation of the production of wheat.*—Whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. *Sec. 14, id.*

1719. *Same—Determination and fixing of reasonable guaranteed prices for wheat.*—The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards Act, approved August eleventh, nineteen hundred and sixteen. *Id.*

1720. *Same—Regulations in connection with guaranteed prices.*—The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment, and differences in price for the several standard grades in the principal primary markets of the United States, adopting number one northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon, the Government of the United States hereby guarantees every producer of wheat produced within the United States, that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guarantee within the period, not exceeding eighteen months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon

which any such producer shall be entitled to the benefits of such guaranty. *Id.*

1721. *Same—Minimum of guaranteed price made absolute.*—The guaranteed prices for the several standard grades of wheat for the crop of nineteen hundred and eighteen, shall be based upon number one northern spring or its equivalent at not less than \$2 per bushel at the principal interior primary markets. This guaranty shall not be dependent upon the action of the President under the first part of this section, but is hereby made absolute and shall be binding until May first, nineteen hundred and nineteen. *Id.*

1721a. *Levy of duty on imported wheat to maintain stability of guaranteed price.*—When the President finds that the importation into the United States of any wheat produced outside of the United States materially enhances or is likely materially to enhance the liabilities of the United States under guaranties of prices therefor made pursuant to this section, and ascertains what rate of duty, added to the then existing rate of duty on wheat and to the value of wheat at the time of importation, would be sufficient to bring the price thereof at which imported up to the price fixed therefor pursuant to the foregoing provisions of this section, he shall proclaim such facts, and thereafter there shall be levied, collected, and paid upon wheat when imported in addition to the then existing rate of duty, the rate of duty so ascertained; but in no case shall any such rate of duty be fixed at an amount which will effect a reduction of the rate of duty upon wheat under any then existing tariff law of the United States. *Id.*

1722. *Purchase by United States of wheat for which price has been guaranteed, and sale, etc., of wheat so bought.*—For the purpose of making any guaranteed price effective under this section, or whenever he deems it essential in order to protect the Government of the United States against material enhancement of its liabilities arising out of any guaranty under this section, the President is authorized also, in his discretion, to purchase any wheat for which a guaranteed price shall be fixed under this section, and to hold, transport, or store it, or to sell, dispose of, and deliver the same to any citizen of the United States or to any Government engaged in war with any country with which the Government of the United States is or may be at war or to use the same as supplies for any department or agency of the Government of the United States. *Id.*

1723. *Same—Disposition of moneys received from such sale.*—Any moneys received by the United States from or in connection with the sale or disposal of wheat under this section may, in the discretion of the President, be used as a revolving fund for further carrying out the purposes of this section. Any balance of such moneys not used

as part of such revolving fund shall be covered into the Treasury as miscellaneous receipts. *Id.*

1724. *Foods, fruits, etc., not to be used in production of distilled spirits for beverage purposes.*—From and after thirty days from the date of the approval of this Act no foods, fruits, food materials, or feeds shall be used in the production of distilled spirits for beverage purposes. *Sec. 15, id.*

1725. *Use of food, etc., for production of distilled spirits for other than beverage purposes.*—Under such rules, regulations, and bonds as the President may prescribe, such materials may be used in the production of distilled spirits exclusively for other than beverage purposes, or for the fortification of pure sweet wines as defined by the Act entitled "An Act to increase the revenue, and for other purposes," approved September eighth, nineteen hundred and sixteen.¹ *Id.*

1726. *Importation of distilled spirits prohibited.*—Nor shall there be imported into the United States any distilled spirits. *Id.*

1727. *Restrictions on use of food, etc., for production of malt or vinous liquors for beverage purposes.*—Whenever the President shall find that limitation, regulation, or prohibition of the use of foods, fruits, food materials, or feeds in the production of malt or vinous liquors for beverage purposes, or that reduction of the alcoholic content of any such malt or vinous liquor, is essential, in order to assure an adequate and continuous supply of food, or that the national security and defense will be subserved thereby, he is authorized, from time to time, to prescribe and give public notice of the extent of the limitation, regulation, prohibition, or reduction so necessitated. *Id.*

1728. *Same—Notice of restrictions.*—Whenever such notice shall have been given and shall remain unrevoked no person shall, after a reasonable time prescribed in such notice, use any foods, fruits, food materials, or feeds in the production of malt or vinous liquors, or import any such liquors except under license issued by the President and in compliance with rules and regulations determined by him governing the production and importation of such liquors and the alcoholic content thereof. *Id.* *

1729. *Violation of section, punishment.*—Any person who willfully violates the provisions of this section, or who shall use any foods, fruits, food materials, or feeds in the production of malt or vinous liquors, or who shall import any such liquors, without first obtaining a license so to do when a license is required under this section, or who shall violate any rule or regulation made under this section, shall be punished by a fine not exceeding \$5,000, or by imprisonment for not more than two years, or both. *Id.*

¹ 39 Stat. 785.

1730. *Manufacture of vinous or malt liquors in prohibition territory not permitted by section.*—Nothing in this section shall be construed to authorize the licensing of the manufacture of vinous or malt liquors in any State, Territory, or the District of Columbia, or any civil subdivision thereof, where the manufacture of such vinous or malt liquor is prohibited. *Id.*

1731. *Taking over by Government of distilled spirits in bond or in stock.*—The President is authorized and directed to commandeer any or all distilled spirits in bond or in stock at the date of the approval of this Act for redistillation, in so far as such redistillation may be necessary to meet the requirements of the Government in the manufacture of munitions and other military and hospital supplies, or in so far as such redistillation would dispense with the necessity of utilizing products and materials suitable for foods and feeds in the future manufacture of distilled spirits for the purposes herein enumerated. *Sec. 16, id.*

1732. *Same—Payment therefor, determination of value.*—The President shall determine and pay a just compensation for the distilled spirits so commandeered; and if the compensation so determined be not satisfactory to the person entitled to receive the same, such person shall be paid seventy-five per centum of the amount so determined by the President and shall be entitled to sue the United States to recover such further sum as, added to said seventy-five per centum, will make up such amount as will be just compensation for such spirits, in the manner provided by section twenty-four, paragraph twenty, and section one hundred and forty-five of the Judicial Code.¹ *Id.*

1733. *Interference, etc., with officers, etc., of United States in performance of duties authorized by act, punishment.*—Every person who willfully assaults, resists, impedes, or interferes with any officer, employee, or agent of the United States in the execution of any duty authorized to be performed by or pursuant to this Act shall upon conviction thereof be fined not exceeding \$1,000 or be imprisoned for not more than one year, or both. *Sec. 17, id.*

1734. *Appropriation for rent, printing, payment of employees, etc.*—The sum of \$2,500,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be available until June thirtieth, nineteen hundred and eighteen, for the payment of such rent, the expense, including postage, of such printing and publications, the purchase of such material and equipment, and the employment of such persons and means, in the city of Washington and elsewhere, as the President may deem essential. *Sec. 18, id.*

1735. *Appropriation for other uses made necessary by act.*—For the purposes of this Act the sum of \$150,000,000 is hereby appro-

¹ See paragraphs 278 and 277, ante, or 35 Stat. 1093, 1136.

priated, out of any moneys in the Treasury not otherwise appropriated, to be available during the time this Act is in effect: *Provided*, That no part of this appropriation shall be expended for the purposes described in the preceding section. *Sec. 19, id.*

1736. *Same—Monthly statement of disbursements to be filed with Secretary of Senate and Clerk of House.*—Itemized statements covering all purchases and disbursements under this and the preceding section shall be filed with the Secretary of the Senate and the Clerk of the House of Representatives on or before the twenty-fifth day of each month after the taking effect of this Act, covering the business of the preceding month, and said statements shall be subject to public inspection. *Id.*

1737. *Persons employed under act not exempt from military service under draft laws.*—The employment of any person under the provisions of this Act shall not exempt any such person from military service under the provisions of the selective draft law approved May eighteenth, nineteen hundred and seventeen. *Sec. 20, id.*

1738. *Annual report to Congress of proceedings under act.*—The President shall cause a detailed report to be made to the Congress on the first day of January each year of all proceedings had under this Act during the year preceding. *Sec. 21, id.*

1739. *Same—Contents of report.*—Such report shall, in addition to other matters, contain an account of all persons appointed or employed, the salary or compensation paid or allowed each, the aggregate amount of the different kinds of property purchased or requisitioned, the use and disposition made of such property, and a statement of all receipts, payments, and expenditures, together with a statement showing the general character, and estimated value of all property then on hand, and the aggregate amount and character of all claims against the United States growing out of this Act. *Id.*

1740. *Partial invalidity of act not to affect other portions.*—If any clause, sentence, paragraph, or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof, directly involved in the controversy in which such judgment shall have been rendered. *Sec. 22, id.*

1741. *Words defined.*—Words used in this Act shall be construed to import the plural or the singular, as the case demands. The word "person," wherever used in this Act, shall include individuals, partnerships, associations, and corporations. *Sec. 23, id.*

1742. *Same—Act, etc., of official, etc., of partnership, etc., deemed act, etc., of such partnership, etc.*—When construing and enforcing the provisions of this Act, the act, omission, or failure of any official, agent, or other person acting for or employed by any partnership,

association, or corporation within the scope of his employment or office shall, in every case, also be deemed the act, omission, or failure of such partnership, association, or corporation as well as that of the person. *Id.*

1743. *Time when act ceases to be operative.*—The provisions of this Act shall cease to be in effect when the existing state of war between the United States and Germany shall have terminated, and the fact and date of such termination shall be ascertained and proclaimed by the President; but the termination of this Act shall not affect any act done, or any right or obligation accruing or accrued, or any suit or proceeding had or commenced in any civil case before the said termination pursuant to this Act; but all rights and liabilities under this Act arising before its termination shall continue and may be enforced in the same manner as if the Act had not terminated. *Sec. 24, id.*

1744. *Same—Termination of operative effect of act not to affect acts done or rights, etc., accrued or offenses committed prior thereto.*—Any offense committed and all penalties, forfeitures, or liabilities incurred prior to such termination may be prosecuted or punished in the same manner and with the same effect as if this Act had not been terminated. *Id., 284.*

1745. *Fixing price of coal and coke, regulation of production, sale, etc., of, and agency for exercising authority in connection with.*—The President of the United States shall be, and he is hereby, authorized and empowered, whenever and wherever in his judgment necessary for the efficient prosecution of the war, to fix the price of coal and coke, wherever and whenever sold, either by producer or dealer, to establish rules for the regulation of and to regulate the method of production, sale, shipment, distribution, apportionment, or storage thereof among dealers and consumers, domestic or foreign; said authority and power may be exercised by him in each case through the agency of the Federal Trade Commission during the war or for such part of said time as in his judgment may be necessary. *Sec. 25, id.*

1746. *Same—Taking over plants, etc., on failure to conform to price regulations, and operation of same by Government.*—If, in the opinion of the President, any such producer or dealer fails or neglects to conform to such prices or regulations, or to conduct his business efficiently under the regulations and control of the President as aforesaid, or conducts it in a manner prejudicial to the public interest, then the President is hereby authorized and empowered in every such case to requisition and take over the plant, business, and all appurtenances thereof belonging to such producer or dealer as a going concern, and to operate or cause the same to be operated in such manner and through such agency as he may direct during the period of the war

or for such part of said time as in his judgment may be necessary. *Id.*

1747. *Payment of compensation to owners of plants, etc., requisitioned.*—Any producer or dealer whose plant, business, and appurtenances shall have been requisitioned or taken over by the President shall be paid a just compensation for the use thereof during the period that the same may be requisitioned or taken over as aforesaid, which compensation the President shall fix or cause to be fixed by the Federal Trade Commission. *Id.*

1748. *Same—Determination of value, method of.*—If the prices so fixed, or if, in the case of the taking over or requisitioning of the mines or business of any such producer or dealer the compensation therefor as determined by the provisions of this Act be not satisfactory to the person or persons entitled to receive the same, such person shall be paid seventy-five per centum of the amount so determined, and shall be entitled to sue the United States to recover such further sum as, added to said seventy-five per centum, will make up such amount as will be just compensation in the manner provided by section twenty-four, paragraph twenty, and section one hundred and forty-five of the Judicial Code.¹ *Id.*

1749. *Regulations for operation of plants, etc., requisitioned.*—While operating or causing to be operated any such plants or business, the President is authorized to prescribe such regulations as he may deem essential for the employment, control, and compensation of the employees necessary to conduct the same. *Id.*

1750. *Purchase by Government of coal and coke, and sale thereof; regulations therefor.*—Or if the President of the United States shall be of the opinion that he can thereby better provide for the common defense, and whenever, in his judgment, it shall be necessary for the efficient prosecution of the war, then he is hereby authorized and empowered to require any or all producers of coal and coke, either in any special area or in any special coal fields, or in the entire United States, to sell their products only to the United States through an agency to be designated by the President, such agency to regulate the resale of such coal and coke, and the prices thereof, and to establish rules for the regulation of and to regulate the methods of production, shipment, distribution, apportionment, or storage thereof among dealers and consumers, domestic or foreign, and to make payment of the purchase price thereof to the producers thereof, or to the person or persons legally entitled to said payment. *Id.*

1751. *Notice to owners of purchase of output who are to cease shipments and sales on their own account thereafter.*—Within fifteen days after notice from the agency so designated to any producer of

¹ See paragraphs 278 and 277, ante, or 35 Stat. 1093, 1136.

coal and coke that his, or its, output is to be so purchased by the United States as hereinbefore described, such producer shall cease shipments of said product upon his own account and shall transmit to such agency all orders received and unfilled or partially unfilled, showing the exact extent to which shipments have been made thereon, and thereafter all shipments shall be made only on authority of the agency designated by the President, and thereafter no such producer shall sell any of said products except to the United States through such agency, and the said agency alone is hereby authorized and empowered to purchase during the continuance of the requirement the output of such producers. *Id.*, 285.

1752. *Payment for coal and coke purchased by Government, determination of value.*—The prices to be paid for such products so purchased shall be based upon a fair and just profit over and above the cost of production, including proper maintenance and depletion charges, the reasonableness of such profits and cost of production to be determined by the Federal Trade Commission, and if the prices fixed by the said commission of any such product purchased by the United States as hereinbefore described be unsatisfactory to the person or persons entitled to the same, such person or persons shall be paid seventy-five per centum of the amount so determined, and shall be entitled to sue the United States to recover such further sum as, added to said seventy-five per centum, will make up such amount as will be just, compensation in the manner provided by section twenty-four, paragraph twenty, and section one hundred and forty-five of the Judicial Code.¹ *Id.*

1753. *Prices for sale of coal and coke purchased by Government.*—All such products so sold to the United States shall be sold by the United States at such uniform prices, quality considered, as may be practicable and as may be determined by said agency to be just and fair. *Id.*

1754. *Disposition of moneys received from sales.*—Any moneys received by the United States for the sale of any such coal and coke may, in the discretion of the President, be used as a revolving fund for further carrying out the purposes of this section. Any moneys not so used shall be covered into the Treasury as miscellaneous receipts. *Id.*

1755. *Federal Trade Commission to inquire into cost of production of coal and coke.*—When directed by the President, the Federal Trade Commission is hereby required to proceed to make full inquiry, giving such notice as it may deem practicable, into the cost of producing under reasonably efficient management at the various places of production the following commodities, to wit, coal and coke. *Id.*

¹ See paragraphs 278 and 277, ante, or 35 Stat. 1093, 1136.

1756. *Same—Books, papers, etc., of mine operators, etc., to be produced, and data and information to be furnished.*—The books, correspondence, records, and papers in any way referring to transactions of any kind relating to the mining, production, sale, or distribution of all mine operators or other persons whose coal and coke have or may become subject to this section, and the books, correspondence, records, and papers of any person applying for the purchase of coal and coke from the United States shall at all times be subject to inspection by the said agency, and such person or persons shall promptly furnish said agency any data or information relating to the business of such person or persons which said agency may call for, and said agency is hereby authorized to procure the information in reference to the business of such coal-mine operators and producers of coke and customers therefor in the manner provided for in sections six and nine¹ of the Act of Congress approved September twenty-sixth, nineteen hundred and fourteen, entitled "An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes," and said agency is hereby authorized and empowered to exercise all the powers granted to the Federal Trade Commission by said Act for the carrying out of the purposes of this section. *Id.*

1757. *Same—Fixing and publishing maximum prices for producers and dealers.*—Having completed its inquiry respecting any commodity in any locality, it shall, if the President has decided to fix the prices at which any such commodity shall be sold by producers and dealers generally, fix and publish maximum prices for both producers of and dealers in any such commodity, which maximum prices shall be observed by all producers and dealers until further action thereon is taken by the commission. *Id.*, 286.

1758. *Same—Determining maximum price for producers.*—In fixing maximum prices for producers the commission shall allow the cost of production, including the expense of operation, maintenance, depreciation, and depletion, and shall add thereto a just and reasonable profit. *Id.*

1759. *Same—Determining maximum price for dealers.*—In fixing such prices for dealers, the commission shall allow the cost to the dealer and shall add thereto a just and reasonable sum for his profit in the transaction. *Id.*

1760. *Same—Prior contracts made in good faith not to be affected.*—The maximum prices so fixed and published shall not be construed as invalidating any contract in which prices are fixed, made in good faith, prior to the establishment and publication of maximum prices by the commission. *Id.*

¹ See 38 Stat., 721, 722.

1761. *Violation of sections, punishment.*—Whoever shall, with knowledge that the prices of any such commodity have been fixed as herein provided, ask, demand, or receive a higher price, or whoever shall, with knowledge that the regulations have been prescribed as herein provided, violate or refuse to conform to any of the same, shall, upon conviction, be punished by fine of not more than \$5,000, or by imprisonment for not more than two years, or both. Each independent transaction shall constitute a separate offense. *Id.*

1762. *Right of United States or other Governments at war with Germany to purchase, etc., coal and coke at prices to be agreed upon not affected.*—Nothing in this section shall be construed as restricting or modifying in any manner the right the Government of the United States may have in its own behalf or in behalf of any other Government at war with Germany to purchase, requisition, or take over any such commodities for the equipment, maintenance, or support of armed forces at any price or upon any terms that may be agreed upon or otherwise lawfully determined. *Id.*

1763. *Storing, holding, destroying, etc., food, fuel, etc., to limit supply, etc., punishment.*—Any person carrying on or employed in commerce among the several States, or with foreign nations, or with or in the Territories or other possessions of the United States in any article suitable for human food, fuel, or other necessities of life, who, either in his individual capacity or as an officer, agent, or employee of a corporation or member of a partnership carrying on or employed in such trade, shall store, acquire, or hold, or who shall destroy or make away with any such article for the purpose of limiting the supply thereof to the public or affecting the market price thereof in such commerce, whether temporarily or otherwise, shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than two years, or both. *Sec. 26, id.*

1764. *Same—Persons excepted.*—Any storing or holding by any farmer, gardner, or other person of the products of any farm, garden, or other land cultivated by him shall not be deemed to be a storing or holding within the meaning of this Act: *Provided further*, That farmers and fruit growers, cooperative and other exchanges, or societies of a similar character shall not be included within the provisions of this section. *Id.*

1765. *Same—Holdings or accumulations excepted.*—This section shall not be construed to prohibit the holding or accumulating of any such article by any such person in a quantity not in excess of the reasonable requirements of his business for a reasonable time or in a quantity reasonably required to furnish said articles produced in surplus quantities seasonally throughout the period of scant or no production. *Id.*

1766. *Unlawful restraints and monopolies act not repealed.*—Nothing contained in this section shall be construed to repeal the Act entitled “An Act to protect trade and commerce against unlawful restraints and monopolies,” approved July second, eighteen hundred and ninety, commonly known as the Sherman Antitrust Act.¹ *Id.*

1767. *Acquisition by United States of stocks of nitrate of soda for increasing agricultural production, and sale thereof.*—The President is authorized to procure, or aid in procuring, such stocks of nitrate of soda as he may determine to be necessary, and find available, for increasing agricultural production during the calendar years nineteen hundred and seventeen and eighteen, and to dispose of the same for cash at cost, including all expenses connected therewith. *Sec. 27, id., 287.*—

1768. *Same—Appropriation for, regulation and agencies as to.*—For carrying out the purposes of this section, there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, available immediately and until expended, the sum of \$10,000,000, or so much thereof as may be necessary, and the President is authorized to make such regulations, and to use such means and agencies of the Government, as, in his discretion, he may deem best. *Id.*

1769. *Same—Disposition of moneys received from sales.*—The proceeds arising from the disposition of the nitrate of soda shall go into the Treasury as miscellaneous receipts. *Id.*

¹ See 26 Stat. 209.

TABLE OF STATUTES AT LARGE AND OF THE REVISED STATUTES
CITED HEREIN, WITH THE PARAGRAPHS NOTED IN WHICH THE
CITATIONS OCCUR.

STATUTES AT LARGE.

	Par.		Par.
1863, Mar. 3, sec. 6 (12 Stat., 751).....	1013	1876, Mar. 23 (19 Stat., 8), as	
1866, June 27, sec. 1 (14 Stat., 74).....	307	amended by act of Mar. 3, 1891	
1872, May 28, sec. 1 (17 Stat., 164),		(26 Stat., 1103).....	782
as amended by act of Mar. 3,		1876, June 30, sec. 5 (19 Stat., 64).....	414
1879 (20 Stat., 353).....	783	1876, July 24 (19 Stat., 99).....	1302
1874, Feb. 4 (18 Stat., 14).....	127	1876, July 29 (19 Stat., 102).....	662
1874, Mar. 4 (18 Stat., 19).....	145	1876, July 31 (19 Stat., 105).....	1203
1874, Mar. 5, sec. 15 (18 Stat., 19-		1876, Aug. 7 (19 Stat., 126).....	1136
20), amending secs. 391 and 392,		1876, Aug. 12 (19 Stat., 131), amend-	
Revised Statutes.....	249, 250	ing sec. 1276, Revised Statutes....	696
1874, Mar. 7 (18 Stat., 20).....	128	1876, Aug. 15:	
1874, Apr. 20:		(19 Stat., 169).....	41
(18 Stat., 33).....	412, 461	(19 Stat., 169), amending sec.	
Sec. 2 (18 Stat., 33).....	413, 462	163, Revised Statutes.....	43
1874, May 21 (18 Stat., 48).....	475	(19 Stat., 200), amending sec.	
1874, June 6 (18 Stat., 60).....	472, 1116	3669, Revised Statutes.....	56
1874, June 20:		Sec. 1 (19 Stat., 203), amend-	
(18 Stat., 101).....	161	ing sec. 4787, Revised Stat-	
(18 Stat., 96, 109, 111), amend-		utes.....	782
ing sec. 3669, Revised Stat-		Sec. 5 (19 Stat., 169).....	27
utes.....	86	1877, Feb. 25 (19 Stat., 242), amend-	
Sec. 2 (18 Stat., 113).....	308, 310	ing sec. 1132, Revised Statutes....	146
Sec. 3 (18 Stat., 113).....	311	1877, Feb. 27:	
Sec. 5 (18 Stat., 110).....	192	(19 Stat., 249) amending sec.	
1874, June 22 (18 Stat., 144).....	118	3663, Revised Statutes.....	97
1874, June 23:		(19 Stat., 249), amending sec.	
(18 Stat., 282).....	857c	3672, Revised Statutes.....	100
Sec. 1 (18 Stat., 244).....	459f	(19 Stat., 241), amending sec.	
Sec. 5 (18 Stat., 245).....	810	197, Revised Statutes.....	109
1874, Dec. 28 (18 Stat., 293).....	312	(19 Stat., 241), amending sec.	
1875, Mar. 1 (18 Stat., 337).....	324	215, Revised Statutes.....	144
1875, Mar. 3:		(19 Stat., 242) amending sec.	
(18 Stat., 360-361), amending		1139, Revised Statutes.....	1259½
sec. 169, Revised Statutes....	25	(19 Stat., 249), amending sec.	
(18 Stat., 355, 370), amending		3622, Revised Statutes.....	415
sec. 3669, Revised Statutes....	86	(19 Stat., 242), amending sec.	
(18 Stat., 370), amending sec.		1167, Revised Statutes.....	835
3960, Revised Statutes.....	93	(19 Stat., 243), amending sec.	
(18 Stat., 481).....	239	1224, Revised Statutes.....	996
(18 Stat., 410).....	607	(19 Stat., 252), amending sec.	
(18 Stat., 388).....	838	4787, Revised Statutes.....	782
(18 Stat., 455).....	865	1877, Feb. 28 (19 Stat., 264).....	1487
(18 Stat., 466).....	1108a	1877, Mar. 2, sec. 4 (19 Stat., 269),	
(18 Stat., 467).....	1128	as amended by act of Mar. 9, 1878	
(18 Stat., 395).....	1193	(20 Stat., 27).....	318
Sec. 2 (18 Stat., 455).....	1234	1877, Mar. 3:	
Sec. 2 (18 Stat., 512).....	985	(19 Stat., 306).....	80
Sec. 4 (18 Stat., 399).....	866		

1877, Mar. 3—Continued.	Par.	1883, Mar. 3—Continued.	Par.
(19 Stat., 370)-----	119	Sec. 10 (22 Stat., 565), amend-	
Sec. 5 (19 Stat., 335)-----	252	ing sec. 4815, Revised Stat-	
Sec. 6 (19 Stat., 336)-----	254	utes-----	1502
1878, Mar. 9 (20 Stat., 27), amend-		1884, May 1 (23 Stat., 17)-----	1195
ing sec. 4, act of Mar. 2, 1877		1884, May 13, sec. 2 (23 Stat., 22)---	59
(19 Stat., 269)-----	318	1884, July 4 (23 Stat., 94)-----	1408
1878, Mar. 16 (20 Stat., 30)-----	1253a	1884, July 5:	
1878, Apr. 10 (20 Stat., 36)-----	1206	(23 Stat., 113, 111, 108, 111,	
1878, June 14, sec. 4 (20 Stat.,		112, 159, 110)-----	410,
130)-----	215b, 215c	532, 603, 730, 742, 841, 1235	
1878, June 18:		(23 Stat., 109), as amended by	
Sec. 2 (20 Stat., 149)-----	326	acts of July 8, 1898 (30	
Sec. 7 (20 Stat., 150)-----	655	Stats., 728), and Feb. 2, 1901	
Sec. 8 (20 Stat., 150)-----	554	31 Stat., 751)-----	514
Sec. 15 (20 Stat., 152)-----	1480	(23 Stat., 109), as amended by	
1878, June 30 (20 Stat., 216)-----	1202	act of Mar. 2, 1901 (31 Stat.,	
1879, Feb. 3 (20 Stat., 281)-----	1306, 1307	907)-----	538
1879, Mar. 3:		(23 Stat., 110), as amended by	
(20 Stat., 389, 412)-----	487, 847	act of Mar. 2, 1885 (23 Stat.,	
(20 Stat., 353), amending sec.		359)-----	563
1, act of May 28, 1872 (17		(23 Stat., 110), amending sec.	
Stat., 164)-----	783	1287, Revised Statutes-----	562
Sec. 9 (20 Stat., 358)-----	251	Sec. 1 (23 Stat., 159, 103)---	852, 1281
1879, June 23:		Sec. 2 (23 Stat., 113, 159)---	467, 851
(21 Stat., 31)-----	670	Sec. 3 (23 Stat., 158)-----	255, 256
(21 Stat., 35)-----	942a	Sec. 6 (23 Stat., 104)-----	1284
Sec. 4 (21 Stat., 34), amend-		1884, July 7, sec. 2 (23 Stat., 254)---	92, 216
ing sec. 1336, Revised Stat-		1885, Feb. 25, sec. 5 (23 Stat., 322)---	1318
utes-----	1125	1885, Mar. 2 (23 Stat., 359), amend-	
Sec. 8 (21 Stat., 35)-----	364	ing act of July 5, 1884 (23 Stat.,	
1880, May 4 (21 Stat., 113)-----	949	110)-----	563
1880, May 11, sec. 4 (21 Stat., 132)---	1413	1885, Mar. 3:	
1880, June 1 (21 Stat., 153)-----	1116	(23 Stat., 350, 502)-----	217, 868
1881, Jan. 21 (21 Stat., 317)-----	1204	(23 Stat., 359), amending sec.	
1881, Jan. 31:		1287, Revised Statutes)-----	562
Sec. 2 (21 Stat., 604)-----	1011	1886, Jan. 19, sec. 1 (24 Stat., 1)---	5
Sec. 3 (21 Stat., 604)-----	1012	1886, Jan. 19, sec. 2 (24 Stat., 1)---	6
1881, Feb. 24 (23 Stat., 346)-----	656	1886, May 17 (24 Stat., 50), amend-	
1881, Feb. 24 (23 Stat., 347)-----	557	ing sec. 1213, Revised Statutes---	1154
1881, Mar. 3 (21 Stat., 468)-----	837	1886, May 20, secs. 1 and 2 (24	
1882, June 30:		Stat., 69)-----	1161
(22 Stat., 118), amending sec.		1886, Dec. 20 (24 Stat., 351)-----	1159
1190, Revised Statutes-----	629	1887, Jan. 29 (24 Stat., 372)-----	1186
(22 Stat., 122, 118, 118, 123)---	869,	1887, Feb. 4:	
964, 998, 1136a		Sec. 6 (24 Stat., 380), as	
Sec. 3 (22 Stat., 122)-----	723	amended by sec. 2, act of June	
1882, July 31 (22 Stat., 181)-----	942b	29, 1906 (34 Stat., 587)-----	525
1882, Aug. 5:		1887, Mar. 1:	
(22 Stat., 241, 299)-----	120, 854a	(24 Stat., 435)-----	756
Sec. 4 (22 Stat., 255)-----	28, 29	Sec. 2 (24 Stat., 435), as	
1882, Aug. 7 (22 Stat., 345)-----	1496	amended by act of Mar. 16,	
1883, Jan. 16, sec. 7 (22 Stat., 406)---	166	1896 (29 Stat., 61)-----	758
1883, Mar. 3:		Sec. 3 (24 Stat., 435)-----	764
(22 Stat., 552, 553, 456, 625,		Sec. 4 (24 Stat., 435)-----	760
616, 457, 457, 488, 627, 453)---	99,	Sec. 5 (24 Stat., 435)-----	766, 1037
154, 675, 863, 898, 965,		Sec. 7 (24 Stat., 435)-----	767
1004, 1207, 1300, 1488		1888, May 1 (25 Stat., 112)-----	1178
Sec. 1 (22 Stat., 564)-----	1504	1888, Aug. 1:	
Sec. 2 (22 Stat., 563)-----	126	Sec. 1 (25 Stat., 357)-----	1276
Sec. 3 (22 Stat., 564)-----	1512	Sec. 2 (25 Stat., 357)-----	1277
Sec. 4 (22 Stat., 564)-----	1520	1888, Aug. 8:	
Sec. 5 (22 Stat., 565)-----	1522	(25 Stat., 387)-----	297
Sec. 6 (22 Stat., 565)-----	1518	Sec. 2 (25 Stat., 387)-----	398
Sec. 7 (22 Stat., 565)-----	1506	1888, Sept. 22 (25 Stat., 486, 489)---	537,
Sec. 8 (22 Stat., 565)-----	1510	870	
Sec. 9 (22 Stat., 564)-----	1513	1888, Sept. 26 (25 Stat., 491)-----	943

	Par.		Par.
1888, Sept. 26 (25 Stat., 492)-----	951	1891, Jan. 16 (26 Stat., 718)-----	1511
1888, Oct. 12 (25 Stat., 552)-----	894, 901	1891, Jan. 19 :	
1888, Oct. 12 (25 Stat., 552), as		Sec. 4 (26 Stat., 721)-----	1240
amended by act of Apr. 27, 1914		(26 Stat., 722), amending sec.	
(38 Stat., 353)-----	901a	1346, Revised Statutes-----	473
1889, Feb. 8 (25 Stat. 657)-----	160	(26 Stat., 722), amending sec.	
1889, Feb. 16 (25 Stat., 672)-----	132	1348, Revised Statutes-----	479
1889, Mar. 1 :		1891, Feb. 6 (26 Stat., 733), amend-	
Sec. 6 (25 Stat., 773)-----	1371	ing sec. 180, Revised Statutes--	16
Sec. 7 (25 Stat., 773)-----	1372	1891, Feb. 9, sec. 2 (26 Stat., 737)--	719
Sec. 9 (25 Stat., 773)-----	1373	1891, Feb. 16 :	
Sec. 49 (25 Stat., 779)-----	1331a	(26 Stat., 763), amending sec.	
1889, Mar. 2 :		1258, Revised Statutes-----	966
(25 Stat., 831)-----	578	(26 Stat., 763)-----	967
Sec. 1 (25 Stat., 869), as		1891, Feb. 24 (26 Stat., 773, 769,	
amended by act of May 9,		769, 769)-----	460, 827, 873, 1229
1892 (27 Stat., 27)-----	443	1891, Feb. 28 (26 Stat., 797)-----	1523
Sec. 2 (25 Stat., 869), as		1891, Mar. 2 (26 Stat., 824), amend-	
amended by act of Mar. 2,		ing sec. 2, act of Mar. 2, 1889	
1891 (26 Stat., 824)-----	444	(25 Stat., 869)-----	444
Sec. 3 (25 Stat., 870), as		1891, Mar. 3 :	
amended by act of May 9,		(26 Stat., 1103), amending sec.	
1892 (27 Stat., 27)-----	445	4787, Revised Statutes-----	782
Sec. 4 (25 Stat., 870)-----	446	(26 Stat., 872, 1082)-----	1493
Sec. 5 (25 Stat., 870)-----	447, 448	1892, Mar. 29 (27 Stat., 12), amend-	
Sec. 6 (25 Stat., 870)-----	449	ing sec. 1216, Revised Statutes--	1018
Sec. 7 (25 Stat., 870)-----	450	1892, May 9 :	
Sec. 8 (25 Stat., 870)-----	451, 452	(27 Stat., 27)-----	432, 433
Sec. 9 (25 Stat., 871)-----	453	(27 Stat., 27), amending sec. 1,	
1890, Feb. 27 :		act of Mar. 2, 1889 (25 Stat.,	
Sec. 1 (26 Stat., 13)-----	1000	869)-----	443
Sec. 2 (26 Stat., 13)-----	1002	(27 Stat., 27), amending sec. 3,	
Sec. 3 (26 Stat., 14)-----	1003	act of Mar. 2, 1889 (25 Stat.,	
1890, Mar. 4 (26 Stat., 16)-----	1490	870)-----	445
1890, Mar. 5 (26 Stat., 17)-----	142	1892, May 10, sec. 4 (27 Stat., 28)--	534
1890, Apr. 9 :		1892, July 13 (27 Stat., 120)-----	765, 940
Sec. 1 (26 Stat., 50)-----	319	1892, July 14 (27 Stat., 149)-----	1491
Sec. 3 (26 Stat., 50)-----	320	1892, July 16 :	
1890, June 13 (26 Stat., 152, 156)-----	1237,	(27 Stat., 178), amending sec.	
1358a		1308, Revised Statutes-----	575
1890, June 16 :		(27 Stat., 178, 178, 177, 178,	
Sec. 3 (26 Stat., 158)-----	1056	193)-----	518, 597, 694, 1294, 1509
Sec. 4 (26 Stat., 158)-----	1043	1892, July 23 :	
1890, June 20 (26 Stat., 167)-----	1168	(27 Stat., 260)-----	877
1890, July 11, sec. 2 (26 Stat., 268)-----	103	(27 Stat., 260), amending sec.	
1890, Aug. 18 (26 Stat., 316)-----	802, 804	2139, Revised Statutes-----	1403
1890, Aug. 29 (26 Stat., 371)-----	57, 58	Sec. 6 (27 Stat., 263)-----	1180
1890, Aug. 30 (26 Stat., 411)-----	107	1892, July 27 :	
1890, Sept. 19 :		Sec. 1 (27 Stat., 276)-----	932
Sec. 2 (26 Stat., 452)-----	1210	Sec. 3 (27 Stat., 277)-----	741
Sec. 15 (26 Stat., 456)-----	675a	Sec. 3 (27 Stat., 278)-----	1033
1890, Sept. 30 (26 Stat., 504)-----	713, 1039	Sec. 4 (27 Stat., 278)-----	473
1890, Oct. 1 :		1892, July 27 (27 Stat., 321)-----	1279
Sec. 7 (26 Stat., 654) amend-		1892, July 30 :	
ing sec. 1207, Revised Stat-		(27 Stat., 336)-----	920
utes-----	386	Sec. 2 (27 Stat., 336)-----	921
Sec. 1 (26 Stat., 562)-----	927	Sec. 3 (27 Stat., 336)-----	922, 923
Sec. 2 (26 Stat., 562)-----	893,	Sec. 4 (27 Stat., 336)-----	924
896, 926, 935		1892, Aug. 1 :	
Sec. 3 (26 Stat., 562)-----	930, 931	Sec. 1 (27 Stat., 340)-----	1219
Sec. 7 (26 Stat., 653)-----	884	Sec. 2 (27 Stat., 340)-----	1220
Sec. 9 (26 Stat., 646), amend-		Sec. 3 (27 Stat., 340)-----	1221
ing sec. 237, Revised Statutes--	195	1893, Feb. 18 (27 Stat., 461)-----	874

1893, Feb. 27:	Par.	1895, Jan. 12:	Par.
(27 Stat., 484, 484, 480, 479,		Sec. 73 (28 Stat., 618, 615)-----	111, 321
480, 480, 484, 484)-----	546,	Sec. 87 (28 Stat., 632)-----	112a
550, 552, 627, 672, 673, 762, 1291		Sec. 87 (28 Stat., 622), as	
Secs. 3 and 4 (27 Stat., 478)----	322	amended by act of May 12,	
1893, Mar. 1 (27 Stat., 515, 520)---	1117,	1917 (40 Stat., 74)-----	112b
	1178	Sec. 96 (28 Stat., 624)-----	254a
1893, Mar. 3:		Sec. 98 (28 Stat., 624)-----	125, 1173
(27 Stat., 653)-----	463	1895, Jan. 16 (28 Stat., 630)-----	1116a
Sec. 3 (27 Stat., 715)-----	122	1895, Feb. 12 (28 Stat., 658)-----	589
Sec. 4 (27 Stat., 715)-----	123	1895, Mar. 2:	
1893, Nov. 3 (28 Stat., 7)-----	944	(28 Stat., 933, 814)-----	133, 454
1894, Mar. 29:		Sec. 5 (28 Stat., 807, 808)-----	394,
(28 Stat., 47), amending sec.			395, 396
1221, Revised Statutes-----	573	Sec. 6 (28 Stat., 808), amend-	
Sec. 1 (28 Stat., 47)-----	1256	ing sec. 3711, Revised Stat-	
Sec. 2 (28 Stat., 47)-----	1257	utes-----	1242
Sec. 3 (28 Stat., 47)-----	1258	Sec. 7 (28 Stat., 808)-----	102
Secs. 4 and 5 (28 Stat., 47)---	1259	Sec. 10 (28 Stat., 809), amend-	
1894, June 28 (28 Stat., 96)-----	56	ing sec. 17, act of July 31,	
1894, July 26 (28 Stat., 124, 151)---	1065,	1894 (28 Stat., 210)-----	246
	1130	Sec. 10 (28 Stat., 809), amend-	
1894, July 31:		ing sec. 886, Revised Stat-	
(28 Stat., 209), amending sec.		utes-----	247
3622, Revised Statutes-----	415	1896, Feb. 18 (29 Stat., 8)-----	1133
(28 Stat., 210), amending sec.		1896, Mar. 6 (29 Stat., 49)-----	1177
3743, Revised Statutes-----	1216	1896, Mar. 16:	
Sec. 2 (28 Stat., 205)-----	169, 990	(29 Stat., 60, 62)-----	707, 715
Sec. 4 (28 Stat., 205), amend-		(29 Stat., 61), amending sec.	
ing sec. 3624, Revised Stat-		2, act of Mar. 1, 1887 (24	
utes-----	203	Stat., 435)-----	758
Sec. 5 (28 Stat., 206)-----	200	1896, Mar. 28 (29 Stat., 75)-----	925
Sec. 6 (28 Stat., 206)-----	201	1896, May 15:	
Sec. 7 (28 Stat., 206), amend-		(29 Stat., 120)-----	1296
ing sec. 278, Revised Stat-		Sec. 2 (29 Stat., 121)-----	1297, 1298
utes-----	205, 213	1896, May 22 (29 Stat., 133)-----	849
Sec. 8 (28 Stat., 206)---	202, 208, 209,	1896, May 28:	
	210	(29 Stat., 148)-----	411
Sec. 11 (28 Stat. 209), amend-		Sec. 3 (29 Stat., 179), amend-	
ing sec. 305, Revised Stat-		ing sec. 166, Revised Stat-	
utes-----	179, 237	utes-----	34
Sec. 12 (28 Stat., 209), as		Sec. 4 (29 Stat., 179)-----	199
amended by act of Mar. 2,		Sec. 5 (29 Stat., 179), amend-	
1901 (31 Stat., 910)-----	196	ing sec. 3621, Revised Stat-	
Sec. 17 (28 Stat., 210), as		utes-----	400
amended by sec. 10, act of		1896, June 3, sec. 7 (29 Stat., 235)---	799
Mar. 2, 1895 (28 Stat., 809)---	246	1896, June 8 (29 Stat., 268)-----	406
Amending sec. 886, Revised		1897, Jan. 26 (29 Stat., 497)-----	458
Statutes-----	247	1897, Jan. 30 (29 Stat., 506)-----	1404
Sec. 22 (28 Stat., 210)-----	197	1897, Feb. 4 (29 Stat., 511)-----	1008
Sec. 23 (28 Stat., 211)-----	211	1897, Feb. 19 (29 Stat., 550)-----	124
1894, Aug. 1:		1897, Feb. 24:	
(28 Stat., 215)-----	876	Sec. 1 (29 Stat., 593)-----	455
Sec. 2 (28 Stat., 216), as		Sec. 2 (29 Stat., 593)-----	456
amended by sec. 4, act of		Sec. 3 (29 Stat., 593)-----	457
Mar. 2, 1899 (30 Stat.,		1897, June 4 (30 Stat., 48)-----	98
978)-----	1029, 1030	1897, June 7 (30 Stat., 86)-----	84
1894, Aug. 6 (28 Stat., 237, 237,		1898, Mar. 15:	
236, 235)-----	677, 688, 727, 950	(30 Stat., 323, 326)-----	539, 828
1894, Aug. 13:		Sec. 3 (30 Stat., 316)-----	78
(28 Stat., 278), as amended		Sec. 5 (30 Stat., 316)-----	212
by act of Feb. 24, 1905 (33		Sec. 6 (30 Stat., 316), amend-	
Stat., 812)-----	1217	ing sec. 3711, Revised Stat-	
(28 Stat., 279)-----	359	utes-----	1242
Sec. 2 (28 Stat., 279)-----	390	Sec. 7 (30 Stat., 316, 317)-----	48,
1894, Aug. 18 (28 Stat., 403, 412,			49, 50, 108
406)-----	440, 463, 1352		

1898, Apr. 22:	Par.	1901, Feb. 2:	Par.
Sec. 1 (30 Stat., 361)-----	327	(31 Stat., 748), amending act of	
Sec. 2 (30 Stat., 361)-----	328	Mar. 2, 1899 (30 Stat., 977)-----	512
Sec. 3 (30 Stat., 361)-----	330	(31 Stat., 751), amending act of	
Sec. 8 (30 Stat., 362)-----	439	July 5, 1884 (23 Stat., 109)-----	514
Sec. 9 (30 Stat., 362)-----	357	Sec. 1 (31 Stat., 748)-----	331
Sec. 10 (30 Stat., 362)-----	358, 359, 360	Sec. 2 (31 Stat., 748)-----	1071
Sec. 12 (30 Stat., 363)-----	636	Sec. 2 (31 Stat., 748), as	
1898, Apr. 26:		amended by act of Mar. 3,	
Sec. 2 (30 Stat., 364)-----	928	1909 (35 Stat., 735)-----	1074
Sec. 3 (30 Stat., 365)-----	892	Sec. 2 (31 Stat., 748)-----	1075, 1077
Sec. 6 (30 Stat., 365)-----	567, 705, 1054	Sec. 3 (31 Stat., 748)-----	1081
Sec. 7 (30 Stat., 365)-----	639	Sec. 4 (31 Stat., 749)-----	1082
1898, May 28, sec. 1 (30 Stat., 421)-----	361	Sec. 10 (31 Stat., 750)-----	1095,
1898, June 6 (30 Stat., 432), amend-		1097, 1098, 1100	
ing sec. 1757, Revised Statutes-----	60	Sec. 11 (31 Stat., 750)-----	790,
1898, June 16 (30 Stat., 473)-----	1272	792, 793, 795, 796	
1898, June 18:		Sec. 11 (31 Stat., 750), amend-	
Sec. 2 (30 Stat., 434)-----	1057	ing sec. 1156, Revised Stat-	
1898, July 1 (30 Stat., 644, 573)-----	989, 1397	utes-----	794
1898, July 7 (30 Stat., 653, 721,		Sec. 12 (31 Stat., 750)-----	902, 912, 913
720, 721)-----	51, 650, 816	Sec. 13 (31 Stat., 751)-----	431
1898, July 8:		Sec. 14 (31 Stat., 751)-----	459
(30 Stat., 722)-----	1181	Sec. 15 (31 Stat., 751)-----	465, 468, 469
30 Stat., 728), amending act of		Sec. 16 (31 Stat., 751)-----	507
July 5, 1884 (23 Stat., 109)-----	514	Sec. 17 (31 Stat., 752), amend-	
1899, Jan. 12:		ing sec. 1140, Revised Stat-	
Sec. 1 (30 Stat., 784)-----	1383e, 1383f	utes-----	580
Sec. 2 (30 Stat., 784)-----	1383g,	Sec. 18 (31 Stat., 752, 753)-----	738,
1383h, 1383i		753, 754, 759, 761	
1899, Feb. 24:		Sec. 19 (31 Stat., 753)-----	772, 769
(30 Stat., 864)-----	121	Sec. 20 (31 Stat., 753)-----	544, 1078
Sec. 4 (30 Stat., 890)-----	52	Sec. 21 (31 Stat., 754)-----	613
1899, Feb. 25 (30 Stat., 890)-----	149a	Sec. 22 (31 Stat., 754)-----	791
1899, Mar. 2:		Sec. 24 (31 Stat., 754)-----	879, 890
Sec. 2 (30 Stat., 977)-----	1076	Sec. 25 (31 Stat., 754)-----	433
Sec. 4 (30 Stat., 978)-----	1099	Sec. 26 (31 Stat., 755)-----	373, 374, 376-
Sec. 4 (30 Stat., 978), amend-		379, 509-511, 581-583, 616-618,	
ing sec. 2, act of Aug. 1,		811-813, 885, 887, 888, 936, 973	
1894 (28 Stat., 216)-----	1029	Sec. 27 (31 Stat., 755)-----	383
Sec. 7 (30 Stat., 979)-----	906, 961	Sec. 28 (31 Stat., 755, 756)-----	1101,
(30 Stat., 977), as amended by		1102, 1103	
act of Feb. 2, 1901 (31 Stat.,		Sec. 29 (31 Stat., 756)-----	332a
748)-----	512	Sec. 30 (31 Stat., 756)-----	333, 1044, 1105
Sec. 16 (30 Stat., 981)-----	711	Sec. 31 (31 Stat., 756)-----	704a
Sec. 16 (30 Stat., 981), as		Sec. 32 (31 Stat., 756)-----	933
amended by act of Mar. 2,		Sec. 34 (31 Stat., 757)-----	1009
1901 (31 Stat., 896), and act		Sec. 36 (31 Stat., 757)-----	332,
of Oct. 6, 1917 (40 Stat.,		335, 336, 337, 338	
385)-----	711a, 712a	Sec. 37 (31 Stat., 758)-----	341
1899, Mar. 3 (30 Stat., 1073, 1074,		Sec. 38 (31 Stat., 758)-----	1295
380)-----	850, 1383j, 1490	Sec. 40 (31 Stat., 758)-----	593
1900, Feb. 9 (31 Stat., 7), amending		Sec. 41 (31 Stat., 758)-----	1023
sec. 4843, Revised Statutes-----	1525	1901, Feb. 15 (31 Stat., 790)-----	1282
1900, Apr. 30, sec. 67 (31 Stat.,		1901, Feb. 26 (31 Stat., 810)-----	945, 952
153)-----	1478	1901, Mar. 1 (31 Stat., 875)-----	871
1900, May 25 (31 Stat., 186)-----	875	1901, Mar. 2:	
1900, May 26 (31 Stat., 211, 211,		(31 Stat., 899, 906, 906, 904,	
206, 209, 209)-----	568, 640, 897, 1040, 1182	902, 901, 901, 903, 902, 902,	
1900, June 6:		896, 910, 910, 903, 901, 920,	
(31 Stat., 658, 637, 624, 671,		905)-----	450, 540,
618, 671)-----	182,	569, 611, 663, 671, 676,	
219, 549, 959, 1301, 1374		683, 684, 687, 712, 848,	
Sec. 4 (31 Stat., 656), amending		872, 1040, 1078, 1176a, 1198	
sec. 1315, Revised Statutes-----	1139	(31 Stat., 910), amending sec.	
Sec. 29 (31 Stat., 330)-----	1477	12, act of July 31, 1894 (28	
1901, Feb. 1 (31 Stat., 746)-----	857	Stat., 209)-----	196

1901, Mar 2—Continued.	Par.	1904, Apr. 23 (33 Stat., 267)-----	Par.
(31 Stat., 907), amending act of July 5, 1884 (23 Stat., 109)-----	538	1904, Apr. 23 (33 Stat., 266, 262, 261, 268, 266, 266, 273, 263, 276, 264, 264, 274, 264, 275)-----	628
(31 Stat., 902), amended by act of June 12, 1906 (34 Stat., 246)-----	686	434, 585, 594, 739, 740, 775c, 784, 846, 958, 969, 1014, 1041, 1364	342
(31 Stat., 896), as amended by act of Oct. 6, 1917 (40 Stat., 385)-----	711a, 712a	1904, Apr. 27 (33 Stat., 401)-----	435
(31 Stat., 914), amending sec. 1338, Revised Statutes-----	1131	1904, Apr. 28 (33 Stat., 518, 497, 498, 496)-----	152, 803, 1288, 1299
(31 Stat., 911), amending sec. 1319, Revised Statutes-----	1147	1904, Dec. 20 (33 Stat., 595)-----	353a
1901, Mar. 3:		1905, Jan. 5:	
(31 Stat., 1448), amending sec. 5153, Revised Statutes-----	182	Sec. 6 (33 Stat., 602)-----	104a
(31 Stat., 1163)-----	1526	Sec. 6 (33 Stat., 602), as amended by act of Feb. 27, 1917 (39 Stat., 946)-----	104b
Sec. 5 (31 Stat., 1009)-----	87	1905, Feb. 3, sec. 4 (33 Stat., 687)-----	82
1902, May 31 (32 Stat., 282)-----	1279a	1905, Feb. 24 (33 Stat., 812), amending act of Aug. 13, 1894 (28 Stat., 278)-----	1217
1902, June 28:		1905, Mar. 2 (33 Stat., 832, 840, 831, 836)-----	623, 845, 974, 1289
(32 Stat., 481, 409, 410, 409, 464)-----	112, 1126, 1140, 1152, 1292	1905, Mar. 3:	
(32 Stat., 409), amending sec. 1339, Revised Statutes-----	1153	(33 Stat., 1249, 850, 850)-----	113, 1117a, 1132
1902, June 30 (32 Stat., 509, 511, 516, 512, 508, 509)-----	380, 513, 548, 642, 664, 891	(33 Stat., 853), amending sec. 1111, Revised Statutes-----	1165
1902, July 1:		Sec. 1 (33 Stat., 1213, 986)-----	116, 1367
(32 Stat., 560, 629)-----	187a, 1047	Sec. 2 (33 Stat., 987)-----	1368
Sec. 4 (32 Stat., 729)-----	780	Sec. 4 (33 Stat., 1257), amending sec. 3679, Revised Statutes-----	188
Sec. 5 (32 Stat., 713)-----	781	1906, Feb. 27:	
1903, Jan. 21:		(34 Stat., 49, 33)-----	37, 1225
Sec. 2 (32 Stat., 775)-----	1323, 1324	Sec. 3 (34 Stat., 48), amending sec. 3679, Revised Statutes-----	183
Sec. 6 (32 Stat., 776)-----	1341	1906, Mar. 15 (34 Stat., 62)-----	1025
Sec. 9 (32 Stat., 776)-----	1342	1906, June 7 (34 Stat., 219)-----	105
Sec. 10 (32 Stat., 776)-----	1347	1906, June 8:	
Sec. 12 (32 Stat., 776)-----	1335	Sec. 2 (34 Stat., 225)-----	1285
Sec. 14 (32 Stat., 777)-----	1356	Sec. 3 (34 Stat., 225)-----	1286
Sec. 17 (32 Stat., 778)-----	1354	Sec. 4 (34 Stat., 225)-----	1287
Sec. 18 (32 Stat., 778)-----	1331	1906, June 12:	
Sec. 21 (32 Stat., 779)-----	1360	(34 Stat., 258, 250, 246, 248, 246, 246, 247, 247, 246, 242, 248, 246, 256, 258, 256, 245, 258, 249)-----	417, 555, 576, 626, 671a, 678, 679, 682, 685, 704, 710, 716, 775f, 830, 904, 972, 1200, 1330
Sec. 22 (32 Stat., 779)-----	1348	(34 Stat., 255), amending sec. 3732, Revised Statutes-----	1100
Sec. 25 (32 Stat., 780)-----	1320	(34 Stat., 246), amending act of Mar. 2, 1901 (31 Stat., 902)-----	686
1903, Jan. 30:		1906, June 19:	
Sec. 1 (32 Stat., 783)-----	941	Sec. 1 (34 Stat., 299)-----	1463
Sec. 2 (32 Stat., 783)-----	340	Sec. 4 (34 Stat., 300)-----	1464
1903, Feb. 14:		1906, June 22:	
Sec. 1 (32 Stat., 830)-----	365	(34 Stat., 401)-----	12
Sec. 2 (32 Stat., 831)-----	368	(34 Stat., 418)-----	363
Sec. 3 (32 Stat., 831)-----	366	(34 Stat., 449), amending sec. 192, Revised Statutes-----	76
Sec. 4 (32 Stat., 831)-----	369	Sec. 1 (34 Stat., 449)-----	1351
1903, Feb. 25 (32 Stat., 885) amending sec. 1167, Revised Statutes-----	834	Sec. 2 (34 Stat., 449)-----	1353
1903, Feb. 28, sec. 1 (32 Stat., 920), amending sec. 4708 Revised Statutes-----	1501	Sec. 3 (34 Stat., 450)-----	1358
1903, Mar. 2 (32 Stat., 938, 938, 934, 941, 930, 932, 934, 930, 930, 932, 932, 932, 1012, 944)-----	150, 151, 349, 553d, 659, 709, 757, 763, 768, 880, 881, 886, 957, 1118, 1489	Sec. 4 (34 Stat., 448, 450)---	90,
1904, Apr. 21:			91, 1359
(33 Stat., 234, 225)-----	806, 946		
Sec. 1 (33 Stat., 226)-----	909		
Sec. 2 (33 Stat., 226)-----	910		
Sec. 3 (33 Stat., 226)-----	911, 953		

1906, June 22—Continued.	Par.	1908, May 11:	Par.
Sec. 5 (34 Stat., 449)-----	36	(35 Stat., 114, 108, 110, 114,	
Sec. 5 (34 Stat., 449), as		108, 114, 109, 109, 109, 110,	
amended by sec. 6, act of		110, 110, 110, 110, 109, 110,	
Oct. 6, 1917 (40 Stat., 383)---	36a	125, 125, 109, 109, 108, 108,	
Sec. 6 (34 Stat., 449)-----	30	117, 122)-----	343, 637, 643
1906, June 25 (34 Stat., 456, 455)---	156, 809	645, 654, 681, 695, 697-702,	
Sec. 2 (34 Stat., 455)-----	814	706, 708, 722, 829, 951c, 1034,	
1906, June 26 (34 Stat., 476)-----	254b	1035, 1061, 1153, 1350, 1527	
1906, June 29, sec. 2 (34 Stat., 587),		(35 Stat., 108) amending sec.	
amending sec. 6, act of Feb. 2,		1261, Revised Statutes-----	635
1887 (24 Stat., 379)-----	525	1908, May 16 (35 Stat., 163)-----	339
1906, June 29:		1908, May 27:	
Sec. 1 (34 Stat., 621)-----	1013b	(35 Stat., 373)-----	1060
Sec. 2 (34 Stat., 621)-----	1013c	Sec. 1 (35 Stat., 392, 399)---	344, 1322
1906, June 30:		Sec. 2 (35 Stat., 392, 399-400)---	345,
(34 Stat., 817, 750)-----	954, 1059	1325-1327, 1357	
Sec. 2 (34 Stat., 762)-----	94	Sec. 3 (35 Stat., 392, 400)---	346, 1339
Sec. 4 (34 Stat., 669)-----	1226	Sec. 4 (35 Stat., 392, 400)-----	347,
Sec. 5 (34 Stat., 763)-----	101	1340, 1344, 1345	
Sec. 6 (34 Stat., 763)-----	44b	Sec. 5 (35 Stat., 392, 401)---	348, 1346
Sec. 9 (34 Stat., 764)-----	189	Sec. 6 (35 Stat., 401)-----	1343
1907, Jan. 25:		Sec. 7 (35 Stat., 401)-----	1349
Sec. 1 (34 Stat., 861)-----	1083	Sec. 8 (35 Stat., 401, 402)---	1336,
Sec. 2 (34 Stat., 861)-----	370	1361-1363	
Sec. 3 (34 Stat., 861)-----	1087	Sec. 9 (35 Stat., 402)-----	1329
Sec. 4 (34 Stat., 861)-----	1093	Sec. 10 (35 Stat., 402)-----	1334
Sec. 5 (34 Stat., 861, 862)---	1086, 1089	Sec. 11 (35 Stat., 403)-----	1332,
Sec. 6 (34 Stat., 862)-----	1088	1337, 1338	
Sec. 7 (34 Stat., 862)-----	1090, 1094	1908, May 28:	
Sec. 8 (34 Stat., 862)-----	1091	(35 Stat., 431)-----	1166
Sec. 9 (34 Stat., 863)-----	1084	(35 Stat., 430), amending sec.	
Sec. 10 (34 Stat., 863)-----	1085	1339, Revised Statutes-----	1153
Sec. 11 (34 Stat., 863)-----	1092	(35 Stat., 441)-----	1143
Sec. 12 (34 Stat., 864)-----	903	Sec. 14 (35 Stat., 443)-----	839
1907, Mar. 2:		1908, May 30:	
(34 Stat., 1162, 1162, 1160,		Sec. 1 (35 Stat., 556)-----	63
1158, 1169, 1170, 1168, 1167,		Sec. 2 (35 Stat., 556)-----	67
1166, 1066, 1166, 1165, 1166,		Sec. 3 (35 Stat., 556)-----	71
1159, 1171, 1169, 1217, 1163,		Sec. 4 (35 Stat., 556)-----	63
1172, 1062, 1159, 1163, 1160,		Sec. 5 (35 Stat., 556)-----	70
1063, 1063, 1167, 1166, 1174)---	157	Sec. 6 (35 Stat., 556)-----	69
158, 350, 436, 476, 528, 551,		Sec. 7 (35 Stat., 556)-----	72
556, 559, 564, 592, 595, 612,		1909, Feb. 18:	
647, 665, 668, 714, 755,		Sec. 47 (35 Stat., 634)-----	1379
779, 861, 899, 970, 1104,		Sec. 50 (35 Stat., 634)-----	1466
1119, 1149, 1160, 1188, 1365		Sec. 74 (35 Stat., 636)-----	1321
Secs. 1 and 2 (34 Stat., 1217)---	1038	1909, Feb. 23:	
1907, Mar. 2 (34 Stat., 1175)-----	831	(35 Stat., 643), amending sec.	
1907, Mar. 4:		3647, Revised Statutes-----	245
Sec. 3 (34 Stat., 1290) amend-		(35 Stat., 643), amending sec.	
ing sec. 5153, Revised Stat-		3646, Revised Statutes-----	245
utes-----	182a	1909, Mar. 3:	
1908, Apr. 19, sec. 1 (35 Stat., 64)---	1498	(35 Stat., 735), amending sec.	
1908, Apr. 23:		2, act of Feb. 2, 1901 (31	
Sec. 1 (35 Stat., 66)-----	728	Stat., 748)-----	1074
Sec. 2 (35 Stat., 66)-----	729	(35 Stat., 747, 746, 737, 751,	
Sec. 3 (35 Stat., 67)-----	731, 734	750, 751, 751, 732, 738, 735,	
Sec. 4 (35 Stat., 67)-----	732	730, 733, 745, 750, 751)---	523,
Sec. 5 (35 Stat., 67)-----	735	704b, 736, 815, 832, 843, 844, 878,	
Sec. 6 (35 Stat., 68)-----	737	947, 955a, 1062, 1099a, 1183, 1366	
Sec. 7 (35 Stat., 68)-----	733, 744, 745	1909, Mar. 4:	
Sec. 8 (35 Stat., 68)-----	746	(35 Stat., 1021, 1003, 1004,	
Sec. 9 (35 Stat., 68)-----	747, 748	1028)-----	115, 477, 547, 1123

1909, Mar. 4—Continued.	Par.	1909, Mar. 4—Continued.	Par.
Sec. 8 (35 Stat., 1027)-----	24	Criminal Code—Continued	
Sec. 9 (35 Stat., 1027)-----	408	Sec. 57 (35 Stat., 1099)---	1313
Sec. 47 (35 Stat., 1075)-----	840	Sec. 60 (35 Stat., 1099)---	900
Criminal Code—		Sec. 85 (35 Stat., 1104)---	1252
Sec. 1 (35 Stat., 1088)---	1415d	Sec. 86 (35 Stat., 1105)---	418
Sec. 2 (35 Stat., 1088)---	1415e	Sec. 87 (35 Stat., 1105)---	419
Sec. 3 (35 Stat., 1088)---	1415f	Sec. 89 (35 Stat., 1105)---	420
Sec. 4 (35 Stat., 1088)---	1415g	Sec. 90 (35 Stat., 1105)---	421
Sec. 5 (35 Stat., 1088)---	1415h	Sec. 91 (35 Stat., 1105)---	422
Sec. 6 (35 Stat., 1089)---	1415i	Sec. 92 (35 Stat., 1105)---	423
Sec. 7 (35 Stat., 1089)---	1415j	Sec. 93 (35 Stat., 1105)---	424
Sec. 8 (35 Stat., 1089)---	1415k	Sec. 94 (35 Stat., 1106)---	425
Sec. 9 (35 Stat., 1089)---	1467	Sec. 95 (35 Stat., 1106)---	426
Sec. 10 (35 Stat., 1089)---	1468	Sec. 96 (35 Stat., 1106)---	427
Sec. 10 (35 Stat., 1089), as		Sec. 97 (35 Stat., 1106)---	428
amended by act of May		Sec. 98 (35 Stat., 1106)---	1192
7, 1917 (40 Stat., 39)---	1468a,	Sec. 101 (35 Stat., 1107)---	110
	1468b	Sec. 106 (35 Stat., 1107)---	429
Sec. 11 (35 Stat., 1090)---	1469	Sec. 109 (35 Stat., 1107)---	430
Sec. 12 (35 Stat., 1090)---	1470	Sec. 112 (35 Stat., 1108)---	1245
Sec. 13 (35 Stat., 1090)---	1471	Sec. 113 (35 Stat., 1109)---	1246
Sec. 13 (35 Stat., 1090), as		Sec. 114 (35 Stat., 1109)---	1247
amended by Title V, sec.		Sec. 115 (35 Stat., 1109)---	1248
8, act of June 15, 1917		Sec. 116 (35 Stat., 1109)---	1249
(40 Stat., 223)-----	1471a	Sec. 117 (35 Stat., 1109)---	1251
Sec. 14 (35 Stat., 1090)---	1472	Sec. 118 (35 Stat., 1110)---	172
Sec. 15 (35 Stat., 1091)---	1473	Sec. 119 (35 Stat., 1110)---	173
Sec. 15 (35 Stat., 1091), as		Sec. 120 (35 Stat., 1110)---	174
amended by Title V, sec.		Sec. 121 (35 Stat., 1110)---	175
10, act of June 15, 1917		Sec. 122 (35 Stat., 1110)---	176
(40 Stat., 223)-----	1473a	Sec. 128 (35 Stat., 1111)---	129
Sec. 18 (35 Stat., 1091)---	1474	Sec. 129 (35 Stat., 1112)---	130
Sec. 22 (35 Stat., 1092)---	1457	Sec. 134 (35 Stat., 1113)---	1253
Sec. 23 (35 Stat., 1092)---	1458	Sec. 201 (35 Stat., 1127)---	1465
Sec. 24 (35 Stat., 1092)---	1459	Sec. 227 (35 Stat., 1134)---	253
Sec. 25 (35 Stat., 1093)---	1460	Sec. 272 (35 Stat., 1142)---	1316a
Sec. 26 (35 Stat., 1093)---	1461	Sec. 286 (35 Stat., 1144)---	1316
Sec. 28 (35 Stat., 1094)---	131	Sec. 289 (35 Stat., 1145)---	1316b
Sec. 35 (35 Stat., 1095)---	220	1909, June 27, sec. 7 (36 Stat. 3)---	166a
Sec. 36 (35 Stat., 1096)---	1264	1909, Aug. 5 (36 Stat., 125)-----	393
Sec. 38 (35 Stat., 1096)---	1267	1910, Mar. 23 (36 Stat., 248, 241,	
Sec. 39 (35 Stat., 1096)---	1251	241, 257, 255, 254, 252, 255, 245,	
Sec. 41 (35 Stat., 1097)---	1250	249, 261, 244)-----	159,
Sec. 41, as amended by sec.		391, 392, 522, 526, 558, 560,	
3, act of Aug. 10, 1917		561, 703, 771, 826, 1187	
(40 Stat., 276)-----	1682-1684	1910, Apr. 19 (36 Stat., 324, 324,	
Sec. 42 (35 Stat., 1097)---	1055	312, 312, 323, 323)-----	939,
Sec. 43 (35 Stat., 1097)---	859	455a, 1121, 1124, 1141, 1164	
Sec. 44 (35 Stat., 1097)---	1315	1910, Apr. 21 (36 Stat., 329)-----	1328
Sec. 44 (35 Stat., 1097), as		1910, May 27, sec. 1 (36 Stat., 443)---	1376
amended by act of Mar. 4,		1910, June 17, sec. 4 (36 Stat., 531)---	1197
1917 (39 Stat., 1194)---	1315a	1910, June 23, sec. 3 (36 Stat., 603)---	1369
Sec. 44 (35 Stat., 1097), as		1910, June 24 (36 Stat., 628)-----	1228
amended by sec. 19, act		1910, June 25 :	
of May 22, 1917 (40		(36 Stat., 851)-----	299
Stat., 89)-----	1315b	Sec. 1 (36 Stat., 770, 721)---	33, 547a
Sec. 45 (35 Stat., 1097)---	1317	Sec. 6 (36 Stat., 773)-----	100a
Sec. 46 (35 Stat., 1097)---	1265	Sec. 9 (36 Stat., 773)-----	109a, 109b
Sec. 47 (35 Stat., 1097)---	1263	1911, Jan. 19 (36 Stat., 894)-----	993
Sec. 48 (35 Stat., 1098)---	1266	1911, Feb. 13 (36 Stat., 898), amend-	
Sec. 50 (35 Stat., 1098)---	1311	ing sec. 183, Revised Statutes-----	64
Sec. 51 (35 Stat., 1098)---	1312	1911, Feb. 27, sec. 5 (36 Stat.,	
Sec. 56 (35 Stat., 1099)---	1314	957)-----	785, 786
		1911, Mar. 1 (36 Stat., 693)-----	1010

1911, Mar. 3:	Par.	1912, Aug. 23:	Par.
(36 Stat., 1037, 1045, 1051,		Sec. 4 (37 Stat., 413)-----	40
1051, 1051, 1051, 1040, 1047,		Sec. 5 (37 Stat., 414)-----	32
1044, 1044, 1044, 1039, 1056,		Sec. 6 (37 Stat., 414)-----	75
1054, 1054, 1054, 1054, 1054,		Sec. 7 (37 Stat., 414)-----	83
1045, 1058, 1057, 1049, 1042,		Sec. 8 (37 Stat., 414)-----	85
1016, 1019, 1045, 1057)-----	371,	1912, Aug. 24:	
508, 529, 530, 533, 535, 541, 604,		(37 Stat., 573, 586, 571, 581,	
622, 630, 634, 641, 680, 750,		579, 575, 575, 576, 574, 576,	
751, 752, 777, 778, 918, 929, 955,		575, 589, 571, 645, 575, 576,	
1070, 1079, 1120, 1131a, 1333, 1370		440, 575, 579, 444, 519)-----	31,
Sec. 1 (36 Stat., 1084)-----	1317 $\frac{1}{4}$	162, 384, 542, 608, 631, 632, 644,	
Sec. 2 (36 Stat., 1085)-----	1317 $\frac{1}{2}$	646, 721, 770, 842, 937, 1042, 1045,	
Sec. 3 (36 Stat., 1085)-----	1317 $\frac{3}{4}$	1063, 1060, 1236, 1279b $\frac{1}{4}$, 1405	
Judicial Code—		Sec. 2 (37 Stat., 590)-----	1031
Sec. 24, par. 20 (36 Stat.,		Sec. 3 (37 Stat., 591)--- 495-498, 500-	
1093)-----	278		504
Sec. 41 (36 Stat., 1100)---	300	Sec. 4 (37 Stat., 593)-----	505
Sec. 45 (36 Stat., 1100)---	301	Sec. 5 (37 Stat., 594)-----	367, 381
Sec. 46 (36 Stat., 1100)---	302	Sec. 6 (37 Stat., 555, 487,	
Sec. 47 (36 Stat., 1100)---	303	594)-----	42, 96, 657
Sec. 145 (36 Stat., 1136)---	277	Sec. 6 (37 Stat., 487), as	
Sec. 146 (36 Stat., 1137)---	279	amended by sec. 10, act of	
Sec. 147 (36 Stat., 1137)---	280	Aug. 1, 1914 (38 Stat., 680)---	96a
Sec. 152 (36 Stat., 1138)---	298	Sec. 7 (37 Stat., 487)-----	194
Sec. 154 (36 Stat., 1138)---	281	Sec. 8 (37 Stat., 487)-----	65
Sec. 156 (36 Stat., 1139)---	282	1913, Mar. 2:	
Sec. 159 (36 Stat., 1139)---	283	(37 Stat., 718, 707, 706, 723,	
Sec. 164 (36 Stat., 1140)---	284	708, 706, 713, 715, 717, 714,	
Sec. 165 (36 Stat., 1140)---	285	708, 710, 718, 705, 706, 713,	
Sec. 171 (36 Stat., 1141)---	286	704, 719, 705, 721)-----	99b, 372,
Sec. 173 (36 Stat., 1141)---	287	385, 442, 466, 499, 521, 531,	
Sec. 175 (36 Stat., 1141)---	288	553, 570, 633, 648, 776, 889,	
Sec. 176 (36 Stat., 1141)---	289	938, 1058, 1183-1185, 1364d	
Sec. 177 (36 Stat., 1141)---	290	1913, Mar. 3 (37 Stat., 726)-----	1232
Sec. 178 (36 Stat., 1141)---	291	1913, Mar. 4:	
Sec. 179 (36 Stat., 1141)---	292	(37 Stat., 765, 764)-----	818, 895
Sec. 180 (36 Stat., 1141)---	294	Sec. 3 (37 Stat., 790)-----	39
Sec. 181 (36 Stat., 1142)---	295	Sec. 4 (37 Stat., 790)-----	35
Sec. 185 (36 Stat., 1142)---	293	1913, May 1:	
Sec. 242 (36 Stat., 1157)---	296	Sec. 3 (38 Stat., 3)-----	99a
Sec. 243 (36 Stat., 1157)---	297	1913, June 23:	
1911, Mar. 4:		Sec. 3 (38 Stat., 75)-----	87a
(36 Stat., 1355, 1348, 1344, 1354,		Sec. 5 (38 Stat., 75)-----	125a
1288, 1253)-----	171,	1913, Dec. 23:	
749, 862, 971, 1229, 1283		Sec. 27 (38 Stat., 274), amend-	
1911, Dec. 22 (37 Stat., 49)---	218a, 218b	ing sec. 5153, Revised Stat-	
1912, Mar. 4 (37 Stat., 72)-----	772	utes-----	182a
1912, June 6 (37 Stat., 126)-----	1231	1914, Apr. 6 (38 Stat., 335, 318,	
1912, June 14 (37 Stat., 133)-----	536	318)-----	81a, 96d, 680a
1912, June 19:		1914, Apr. 25:	
Sec. 1 (37 Stat., 137)-----	1222	Sec. 1 (38 Stat., 347)-----	329, 1382
Sec. 2 (37 Stat., 138)-----	1223, 1224	Sec. 2 (38 Stat., 347)-----	1383
1912, June 26, sec. 8 (37 Stat., 184)---	81	Sec. 3 (38 Stat., 347)-----	1384
1912, July 17 (37 Stat., 193)-----	864	Sec. 4 (38 Stat., 347)-----	1385
1912, July 25 (37 Stat., 218)-----	1227	Sec. 5 (38 Stat., 348)-----	1386
1912, Aug. 9 (37 Stat., 264, 263,		Sec. 6 (38 Stat., 348)-----	1387
252, 252, 252, 252, 252, 254, 257,		Sec. 7 (38 Stat., 349)-----	1388
260)-----	1108b, 1115,	Sec. 8 (38 Stat., 349)-----	1389
	1122, 1137, 1144, 1148,	Sec. 9 (38 Stat., 350)-----	1390
	1157, 1171, 1174, 1179	Sec. 10 (38 Stat., 350)-----	1391
1912, Aug. 22:		Sec. 11 (38 Stat., 350)-----	1392
(37 Stat., 324, 355)-----	1048, 1230	Sec. 12 (38 Stat., 351)-----	1393
(37 Stat., 356), amending sec.		Sec. 13 (38 Stat., 351)-----	1394
1908, Revised Statutes-----	1052	Sec. 14 (38 Stat., 351)-----	1395

	Par.	1915, Mar. 4—Continued.	Par.
1914, Apr. 27 (38 Stat., 354, 355 356, 356, 356, 355, 362, 365, 363, 361, 361, 353, 366, 359, 369, 362, 361, 353, 353, 357, 354, 360, 370, 370, 360)-----	332g,	Sec. 2, par. 1 (38 Stat., 1084)-----	475b
362, 375, 382, 501a, 506,		Sec. 2, par. 2 (38 Stat., 1084)-----	475c
520, 527, 543, 588, 609,		Sec. 2, par. 3 (38 Stat., 1085)-----	477a
666, 669, 689, 801, 808,		Sec. 2, par. 4 (38 Stat., 1085)-----	480a
883, 901a, 938 $\frac{1}{2}$, 954a,		Sec. 2, par. 5 (38 Stat., 1085)-----	481a
954b, 1049, 1355, 1367a		Sec. 2, par. 6 (38 Stat., 1085)-----	481b
1914, Apr. 27 (38 Stat., 353), amend- ing act of Oct. 12, 1888 (25 Stat., 552)-----	901a	Sec. 2, par. 7 (38 Stat., 1085)-----	488a
1914, July 6 (38 Stat., 454)-----	215a	Sec. 2, par. 8 (38 Stat., 1086)-----	476a
1914, July 6: (38 Stat., 454), repealing sec- tion 3480, Revised Statutes--	215a	Sec. 1 (38 Stat., 1190)-----	927a
1914, July 16: Sec. 5 (38 Stat., 508)-----	82a	Sec. 2 (38 Stat., 1191)-----	927b
1914, July 17 (38 Stat., 512)--	951a-951b	Sec. 3 (38 Stat., 1191)-----	927c-927d
1914, July 18: Sec. 1 (38 Stat., 514)-----	889a	Sec. 5 (38 Stat., 1191)-----	927e-927f
Sec. 2 (38 Stat., 514-515)-----	889b-889f	Sec. 6 (38 Stat., 1191)-----	927f
Sec. 3 (38 Stat., 515-516)-----	889g-889n	Sec. 4 (38 Stat., 1161)-----	191a
1914, Aug. 1: (38 Stat., 629)-----	1294a	Sec. 5 (38 Stat., 996)-----	277a
Sec. 10 (38 Stat., 680), amend- ing sec. 6, act of Aug. 24, 1912 (37 Stat., 487)-----	96a	Sec. 5 (38 Stat., 1049)-----	77a
Sec. 12 (38 Stat., 860)-----	35a	Sec. 5 (38 Stat., 1161)-----	75a
Sec. 13 (38 Stat., 680)-----	96c	1916, Feb. 28 (39 Stat., 15)-----	40b, 40c
1914, Aug. 4 (38 Stat., 682), amend- ing Sec. 5153, Revised Statutes--	182a	1916, Mar. 21 (39 Stat., 37), amend- ing sec. 3647, Revised Statutes--	245a
1915, Feb. 24 (38 Stat., 812)-----	813a	1916, Apr. 27: Sec. 1 (39 Stat., 53)-----	1014a
1915, Mar. 2 (38 Stat., 953), as amended by act of Oct. 6, 1917 (40 Stat., 368)-----	1502b	Sec. 2 (39 Stat., 54)-----	1014b
1915, Mar. 3: (38 Stat., 889, 889)-----	825a-825b	Sec. 3 (39 Stat., 54)-----	1014c, 1014d, 1014e, 1014f
1915, Mar. 3 (38 Stat., 930)-----	889v, 889w, 889x, 889y, 889z, 889aa	Sec. 3 (39 Stat., 53), as amended by act of June 30, 1916 (39 Stat., 242)-----	1014h
Sec. 3 (38 Stat., 886)-----	200a	Sec. 4 (39 Stat., 54)-----	1014g
1915, Mar. 4: (38 Stat., 1077, 1078, 1070, 1070, 1070, 1067, 1067, 1084, 1074, 1074, 1066, 1066, 1079, 1072, 1078, 1069, 1069, 1063, 1078, 1065, 1080, 1080, 1080, 1212, 1084, 1083, 1064, 1082, 1068, 1068, 1068, 1068, 1069, 1084, 1063, 1128, 1136, 1136, 1137, 1078, 1073, 1071, 1071, 1072, 1083, 1065, 1083)-----	217a	1916, May 4: Sec. 1 (39 Stat., 62)-----	1139a, 1141b
330a, 346a, 346b, 346c,		Sec. 2 (39 Stat., 62)-----	1139b
362a, 362b, 417a, 475a,		Sec. 3 (39 Stat., 62)-----	1139c
488b, 506a, 514a, 588a,		1916, May 10: (39 Stat., 76, 94, 108)-----	12a, 40d, 154a, 154b, 154c, 1236c
611a, 616a, 668a, 668b,		Sec. 5 (39 Stat., 120)-----	30a
673a, 689a, 727a, 775a,		Sec. 6 (39 Stat., 120)-----	169a
775g, 776a, 849a, 857a,		Sec. 6 (39 Stat., 129), as amended by act of Aug. 29, 1916 (39 Stat., 582)-----	169b
864a, 883a, 955b, 958a,		1916, May 18 (39 Stat., 123, 128)--	954c, 1413a
958b, 958c, 958d, 958e,		1916, June 3: Sec. 1 (39 Stat., 166)-----	329a
969a, 1083a, 1141a, 1158a,		Sec. 2 (39 Stat., 166)-----	331a, 332d, 332e, 332f
1178a, 1178b, 1211a, 1236a,		Sec. 3 (39 Stat., 166)-----	356a
1364a, 1364b, 1364c, 1364e, 1364f, 1507a.		Sec. 4 (39 Stat., 167)-----	350a, 350b, 350c
		Sec. 5 (39 Stat., 167-9)-----	366a, 369a, 369b, 365a, 369c, 370a, 370b, 370c, 365b
		Sec. 5 (39 Stat., 169), as amend- ed by act of May 12, 1917 (40 Stat., 46)-----	366b
		Sec. 5 (39 Stat., 167), as amended by act of May 12, 1917 (40 Stat., 73)-----	369a $\frac{1}{2}$
		Sec. 6 (39 Stat., 169)-----	431a
		Sec. 7 (39 Stat., 169)-----	459a
		Sec. 8 (39 Stat., 169-170)-----	465a, 469a, 468a, 469b, 467a, 467b, 467c

1916, June 3—Continued.	Par.
Sec. 9 (39 Stat., 170)-----	495a, 506b, 514b, 515a
Sec. 10 (39 Stat., 171-3)-----	728a, 729a, 729b, 729c, 732a, 731a, 728b, 756a, 760a, 766a, 756b, 766b, 766c, 766d, 766e, 766f, 766g, 765a, 765b, 750a, 150b, 750c, 1279b
Sec. 11 (39 Stat., 173-4)-----	784a, 790a, 790b, 790c, 792a, 790d, 790e, 790f, 791a
Sec. 12 (39 Stat., 174)-----	809a 820a, 812a, 813b
Sec. 13 (39 Stat., 174-6)-----	879a, 889o, 889p, 889q, 889r, 889s, 889t, 889u, 890a, 890b
Sec. 14 (39 Stat., 176)-----	*155a
Sec. 15 (39 Stat., 176)-----	902a, 902b
Sec. 15 (39 Stat., 176), as amended by act of May 12, 1917 (40 Stat., 72)-----	902c
Sec. 16 (39 Stat., 176-7)-----	728c, 728d, 728e, 728f, 728g, 728h, 728i, 728j, 728k, 728l, 728m, 728n
Sec. 17 (39 Stat., 177-8)-----	1095a, 1095b, 1097a, 1097b, 1097c, 1098a, 1097d
Sec. 18 (39 Stat., 178-9)-----	1071a, 1074a, 1074b, 1074c, 1074d, 1075a, 1074e
Sec. 19 (39 Stat., 179-180)-----	1090a, 1090b, 1090c, 1091a, 1091b, 1091c, 1091d, 1091e, 1091f, 1091 g, 1091h
Sec. 20 (39 Stat., 180)-----	1086a, 1086b
Sec. 21 (39 Stat., 180-1)-----	341a, 348a, 345a, 345b, 343a, 347a, 346d
Sec. 22 (39 Stat., 181)-----	1106a
Sec. 23 (39 Stat., 181)-----	918a
Sec. 24 (39 Stat., 182-3)-----	331b, 331c, 331d, 331e, 331f, 786a, 331g, 931a, 930a, 930b, 961a, 958f
Sec. 24 (39 Stat., 182), as amended by act of May 12, 1917 (40 Stat., 44)-----	331d ₁
Sec. 24 (39 Stat., 182), as amended by act of May 12, 1917 (40 Stat., 73)-----	331d ₂
Sec. 24 (39 Stat., 182), as amended by act of May 12, 1917 (40 Stat., 47)-----	809b
Sec. 25 (39 Stat., 183-5)-----	929a, 929b, 929c, 929d, 929e, 929f, 929i, 935a
Sec. 26 (39 Stat., 185)-----	339a, 339b, 339c, 339d
Sec. 27 (39 Stat., 185-6)-----	1031a, 1031b, 1031c, 1031d, 1034a, 1028a, 1032a, 1293a, 1293b
Sec. 28 (39 Stat., 186-7)-----	695a, 702a
Sec. 29 (39 Stat., 187)-----	1031e, 1044a, 1043a

1916, June 3—Continued.	Par.
Sec. 30 (39 Stat., 187)-----	1031f
Sec. 31 (39 Stat., 187-8)-----	1031g, 1031h, 1031i,
Sec. 32 (39 Stat., 188)-----	1031j, 1031k, 1031l, 1031m
Sec. 33 (39 Stat., 188)-----	1031n
Sec. 34 (39 Stat., 188)-----	1031o
Sec. 35 (39 Stat., 188)-----	701a
Sec. 36 (39 Stat., 189)-----	1332a
Sec. 37 (39 Stat., 189-190)-----	1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543
Sec. 37 (39 Stat., 189), as amended by act of May 12, 1917 (40 Stat., 73)-----	1536a, 1536b
Sec. 38 (39 Stat., 190-191)-----	1544, 1545, 1546, 1547
Sec. 39 (39 Stat., 191)-----	1548, 1549, 1550, 1551, 1552
Sec. 40 (39 Stat., 191)-----	1553
Sec. 41 (39 Stat., 191)-----	1554, 1555
Sec. 42 (39 Stat., 191-192)-----	1556, 1557
Sec. 43 (39 Stat., 192)-----	1558
Sec. 44 (39 Stat., 192)-----	1559
Sec. 45 (39 Stat., 192)-----	1560
Sec. 46 (39 Stat., 192)-----	1561
Sec. 47 (39 Stat., 192)-----	1562
Sec. 48 (39 Stat., 193)-----	1564
Sec. 49 (39 Stat., 193)-----	1565, 1566
Sec. 50 (39 Stat., 193)-----	1567
Sec. 50, as amended by Joint Resolution of Sept. 8, 1916 (39 Stat., 853)-----	1568
Sec. 51 (39 Stat., 193)-----	1569
Sec. 52 (39 Stat., 194)-----	1570
Sec. 53 (39 Stat., 194)-----	1571, 1572, 1573
Sec. 54 (39 Stat., 194-195)-----	1574, 1575
Sec. 54 (39 Stat., 194), as amended by act of May 12, 1917 (40 Stat., 70)-----	1574a
Sec. 55 (39 Stat., 195-197)-----	1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599
Sec. 56 (39 Stat., 197)-----	1563
Sec. 57 (39 Stat., 197)-----	1322a
Sec. 58 (39 Stat., 197)-----	1322b
Sec. 59 (39 Stat., 197)-----	1323a
Sec. 60 (39 Stat., 197)-----	1325a
Sec. 61 (39 Stat., 198)-----	1325b, 1325c, 1325d
Sec. 62 (39 Stat., 198)-----	1325e, 1325f, 1325g, 1325h, 1321a
Sec. 63 (39 Stat., 198)-----	1327a, 1327b, 1327c
Sec. 64 (39 Stat., 198-199)-----	1325i, 1325j
Sec. 65 (39 Stat., 199)-----	1325k, 1325l
Sec. 66 (39 Stat., 199)-----	1335a, 1335b
Sec. 67 (39 Stat., 199-200)-----	1351a, 1351b, 1351c, 1351d, 1351e, 1351f, 1351g

1917, Mar. 3—Continued.	Par.	1917, May 18:	Par.
Sec. 7 (39 Stat., 1121)-----	44a, 44b	Sec. 1, par. 1 (40 Stat., 76)---	331c ₁ , 331c ₂
Sec. 8 (39 Stat., 1122)-----	40j	Sec. 1, par. 2 (40 Stat., 76)---	1339p, 1339q
1917, Mar. 4 (39 Stat., 1182, 1169, 1170, 1192)-----	131a, 889ff, 889gg, 889hh, 889ii, 1223a, 1223b	Sec. 1, par. 3 (40 Stat., 76-7)---	1639, 1631, 356b, 356c, 356d, 356e, 1632, 1633
(39 Stat., 1194), amending sec. 44, Criminal Code (35 Stat., 1097)-----	1315a	Sec. 1, par. 4 (40 Stat., 77)---	1634
1917, Apr. 17:		Sec. 1, par. 5 (40 Stat., 77)---	1635
(40 Stat., 11)-----	1347f	Sec. 1, par. 6 (40 Stat., 77)---	1636
1917, May 7:		Sec. 1, par. 7 (40 Stat., 77)---	1383a, 1383b, 1383c, 1383d
(40 Stat., 39), amending sec. 10, Criminal Code (35 Stat., 1089)-----	1468a, 1468b	Sec. 2 (40 Stat., 77-78)-----	1637, 1638, 1639, 1640, 1641, 1642
1917, May 12:		Sec. 3 (40 Stat., 78)-----	1643
(40 Stat., 74, 73, 44, 50, 55, 74, 58, 52, 50, 43, 65, 45, 60, 74, 65, 43, 43, 64, 48, 48, 74, 74, 74, 43, 42, 67, 67, 67, 129, 59, 59, 60, 60, 60, 68, 66, 66, 67, 66, 45, 68, 65, 73, 72, 72, 72, 71, 71, 71, 71, 70, 69, 69)-----	44c, 150b, 331b ₁ , 499a, 538a, 546a, 547b, 563c, 611c, 688a, 688b, 699a, 776d, 854b, 857i, 898a, 929a ₁ , 954e, 975b, 975c, 1043b, 1043c, 1043d, 1261b, 1274e, 1274f, 1281a, 1281b, 1281c, 1293c, 1293d, 1293e, 1293f, 1293g, 1325a ₁ , 1328d ₁ , 1331g ₁ , 1334d, 1355f, 1357a, 1361d, 1364o, 1533a, 1544a, 1544b, 1549a, 1553a, 1553b, 1553c, 1553d, 1562a, 1574b, 1576a, 1579a.	Sec. 4 (40 Stat., 78-80)---	1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653
(40 Stat., 74), amending sec. 87, act of Jan. 12, 1895 (28 Stat., 622)-----	112b	Sec. 5 (40 Stat., 80)-----	1654, 1655, 1656, 1657
(40 Stat., 46) amending sec. 5, act of June 3, 1916 (39 Stat., 169)-----	366b	Sec. 6 (40 Stat., 80-81)-----	1658, 1659, 1660
(40 Stat., 73), amending sec. 5, act of June 3, 1916 (39 Stat., 167)-----	369a ₁	Sec. 7 (40 Stat., 81)-----	1661, 1031h ₁ , 1032, 1031h ₂ , 1044b
(40 Stat., 72), amending sec. 15, act of June 3, 1916 (39 Stat., 176)-----	902c	Sec. 8 (40 Stat., 81)-----	1663, 1663a, 1664
(40 Stat., 44), amending sec. 24, act of June 3, 1916 (39 Stat., 182)-----	331d ₁	Sec. 9 (40 Stat., 82)-----	1665, 1666, 1667
(40 Stat., 73), amending sec. 24, act of June 3, 1916 (39 Stat., 182)-----	331d ₂	Sec. 10 (40 Stat., 82)-----	1668, 695b, 695c
(40 Stat., 47), amending sec. 24, act of June 3, 1916 (39 Stat., 182)-----	809b	Sec. 11 (40 Stat., 82)-----	938 ₁ a
(40 Stat., 73), amending sec. 37, act of June 3, 1916 (39 Stat., 189)-----	1536a, 1536b	Sec. 12 (40 Stat., 82)-----	1295a, 1295b, 1295c, 1295d
(40 Stat., 70), amending sec. 54, act of June 3, 1916 (39 Stat., 194)-----	1574a	Sec. 13 (40 Stat., 83)---	1295c, 1295f
(40 Stat., 53), repealing sec. 1120, Revised Statutes-----	1032b	Sec. 14 (40 Stat., 83)-----	1669
		1917, May 22:	
		Sec. 16 (40 Stat., 87-89)---	534h, 534i, 534j, 534k, 534l, 534m, 534n, 534o, 534p
		Sec. 19 (40 Stat., 89), amend- ing sec. 44, Criminal Code (35 Stat., 1097)-----	1315b
		1917, May 29:	
		(40 Stat., 90, 100, 101)-----	1132a, 1162f, 1162g
		1917, June 12:	
		(40 Stat., 126, 126, 144, 129, 140)-----	112c, 112d, 1196a, 1289a, 1502a
		1917, June 14:	
		(40 Stat., 181)-----	1361e, 1361f
		1917, June 15:	
		(40 Stat., 184, 188, 183, 216, 182)-----	44d, 506c, 534g, 1611a, 1619a
		Sec. 2 (40 Stat., 217)-----	44e
		Sec. 3 (40 Stat., 217)-----	44f
		Sec. 4 (40 Stat., 217)---	1640a, 1640b
		Sec. 5 (40 Stat., 217)-----	44g
		(40 Stat., 198), amending sec. 3744, Revised Statutes-----	1211d
		Title I, sec. 1 (40 Stat., 217)---	1317 ₁ a
		Title I, sec. 2 (40 Stat., 218)---	1317 ₁ b, 1317 ₁ c
		Title I, sec. 3 (40 Stat., 219)---	1317 ₁ d
		Title I, sec. 4 (40 Stat., 219)---	1317 ₁ e, 1317 ₁ f

1917, June 15—Continued.	Par.
Title I, sec. 5 (40 Stat., 219)...	1317jg
Title I, sec. 6 (40 Stat., 219)...	1317jh
Title I, sec. 7 (40 Stat., 219)...	1317ji
Title I, sec. 8 (40 Stat., 219)...	1317jj
Title I, sec. 9 (40 Stat., 219)...	1317jk
Title II, sec. 1 (40 Stat., 220)...	1469h, 1469i
Title II, sec. 2 (40 Stat., 220)...	1469j
Title II, sec. 3 (40 Stat., 220)...	1469k
Title II, sec. 3 (40 Stat., 220)...	1469l
Title III, sec. 1 (40 Stat., 221)...	1469m
Title IV, sec. 1 (40 Stat., 221)...	1469n
Title V, sec. 1 (40 Stat., 221)...	1469o
Title V, sec. 2 (40 Stat., 221)...	1469p
Title V, sec. 3 (40 Stat., 222)...	1469q
Title V, sec. 4 (40 Stat., 222)...	1469r
Title V, sec. 5 (40 Stat., 222)...	1469s
Title V, sec. 6 (40 Stat., 222)...	1469t
Title V, sec. 7 (40 Stat., 223)...	1469u
Title V, sec. 8 (40 Stat., 223), amending sec. 13, Criminal Code (35 Stat., 1090).....	1471a
Title V, sec. 9 (40 Stat., 223)...	1469v
Title V, sec. 10 (40 stat., 223), amending sec. 15, Criminal Code (35 Stat., 1091).....	1473a
Title V, sec. 11 (40 Stat., 223)...	1469w
Title VI, sec. 1 (40 Stat., 223)...	1475c, 1475d
Title VI, sec. 2 (40 Stat., 224)...	1475d, 1475e
Title VI, sec. 3 (40 Stat., 224)...	1475f
Title VI, sec. 4 (40 Stat., 224)...	1475g
Title VI, sec. 5 (40 Stat., 224)...	1475h, 1475i
Title VI, sec. 6 (40 Stat., 225)...	1475j
Title VI, sec. 7 (40 Stat., 225)...	1475k
Title VI, sec. 8 (40 Stat., 225)...	1475l
Title VII, sec. 1 (40 Stat., 225)...	1475m
Title VII, sec. 2 (40 Stat., 225)...	1475n
Title VII, sec. 3 (40 Stat., 225)...	1475o, 1475p
Title VIII, sec. 1 (40 Stat., 226).....	1670
Title VIII, sec. 2 (40 Stat., 226).....	1671
Title VIII, sec. 3 (40 Stat., 226).....	1672
Title VIII, sec. 4 (40 Stat., 226).....	1673
Title VIII, sec. 5 (40 Stat., 226).....	1674
Title IX, sec. 1 (40 Stat., 227)...	1675
Title IX, sec. 2 (40 Stat., 227)...	1676
Title IX, sec. 3 (40 Stat., 227)...	1677
Title IX, sec. 4 (40 Stat., 227)...	1678
Title X, sec. 1 (40 Stat., 227)...	1631a
Title X, sec. 2 (40 Stat., 228)...	1631b
Title X, sec. 3 (40 Stat., 228)...	1631c
Title XI, sec. 1 (40 Stat., 228)...	1449a
Title XI, sec. 2 (40 Stat., 228)...	1449b
Title XI, sec. 3 (40 Stat., 228)...	1449c
Title XI, sec. 4 (40 Stat., 228)...	1449d
Title XI, sec. 5 (40 Stat., 228)...	1449e
Title XI, sec. 6 (40 Stat., 229)...	1449f
Title XI, sec. 7 (40 Stat., 229)...	1449g

1917, June 15—Continued.	Par.
Title XI, sec. 8 (40 Stat., 229)...	1449h
Title XI, sec. 9 (40 Stat., 229)...	1449i
Title XI, sec. 10 (40 Stat., 229)...	1449j
Title XI, sec. 11 (40 Stat., 229)...	1449k
Title XI, sec. 12 (40 Stat., 229)...	1449l
Title XI, sec. 13 (40 Stat., 229)...	1449m
Title XI, sec. 14 (40 Stat., 229)...	1449n
Title XI, sec. 15 (40 Stat., 229)...	1449o
Title XI, sec. 16 (40 Stat., 229)...	1449p
Title XI, sec. 17 (40 Stat., 230)...	1449q
Title XI, sec. 18 (40 Stat., 230)...	1449r
Title XI, sec. 19 (40 Stat., 230)...	1449s
Title XI, sec. 20 (40 Stat., 230)...	1449t
Title XI, sec. 21 (40 Stat., 230)...	1449u
Title XI, sec. 22 (40 Stat., 230)...	1317li
Title XI, sec. 23 (40 Stat., 230)...	1449v
Title XII, sec. 1 (40 Stat., 230)...	253a, 253b
Title XII, sec. 2 (40 Stat., 230)...	253c
Title XII, sec. 3 (40 Stat., 230- 231).....	253d, 253e
Title XIII, sec. 1 (40 Stat., 231).....	1475q
Title XIII, sec. 2 (40 Stat., 231).....	1475r
Title XIII, sec. 3 (40 Stat., 231).....	1475s
Title XIII, sec. 4 (40 Stat., 231).....	1475t
1917, July 2:	
(40 Stat., 241).....	802a, 802b, 802c, 802d
1917, July 24:	
Sec. 1 (40 Stat., 243).....	879b
Sec. 2 (40 Stat., 243).....	879c, 879d, 879e
Sec. 3 (40 Stat., 243).....	890d, 890e, 890f, 890g, 890h
Sec. 4 (40 Stat., 244).....	890i, 890j
Sec. 5 (40 Stat., 244).....	879f, 879g
Sec. 6 (40 Stat., 244-5).....	889jj, 889kk, 889ll, 889mm
Sec. 7 (40 Stat., 245).....	889nn, 889oo
Sec. 8 (40 Stat., 245).....	879h, 879i
Sec. 9 (40 Stat. 245-247).....	889pp, 889qq, 889rr, 889ss, 889tt, 889uu, 1293h, 879j, 879k, 889vv, 889ww, 889xx, 1261c, 889yy
Sec. 10 (40 Stat. 247).....	889zz
1917, July 27:	
(40 Stat., 247-248).....	1274g, 1274h, 1274i, 1274j
1917, July 28:	
Sec. 1 (40 Stat., 248)---	1272b, 1272c
Sec. 2 (40 Stat., 248).....	1272d
1917, Aug. 7:	
(40 Stat., 250).....	1272e, 1272f, 1272g, 1272h
1917, Aug. 8:	
Sec. 8 (40 Stat., 266)---	1315c, 1315d
1917, Aug. 10:	
(40 Stat., 272-3), amending sec. 6, Act of Feb. 4, 1887 (24 Stat., 380), as amended by sec. 2, Act of June 29, 1906 (34 Stat., 589), and Act of	

1917, Aug. 10—Continued.	Par.
Aug. 29, 1916 (39 Stat., 604)_____	525c,
525d, 525e, 525f, 525g,	
525h, 525i, 525j, 525k	
Sec. 1 (40 Stat., 276)_____	1679, 1680
Sec. 2 (40 Stat., 276)_____	1681
Sec. 3 (40 Stat., 276-77)_____	1682,
1683, 1684	
Sec. 4 (40 Stat., 277)_____	1685
Sec. 6 (40 Stat., 277-278)_____	1686,
1687, 1688, 1689,	
1690, 1691, 1692	
Sec. 6 (40 Stat. 278)_____	1693,
1694, 1695, 1696	
Sec. 7 (40 Stat., 278-9)_____	1697,
1698, 1699	
Sec. 8 (40 Stat., 279)_____	1700
Sec. 9 (40 Stat., 279)_____	1701
Sec. 10 (40 Stat., 279)_____	1702,
1703, 1704	
Sec. 11 (40 Stat., 279)_____	1705,
1706, 1707	
Sec. 12 (40 Stat., 279-280)_____	1708,
1709, 1710, 1711,	
1712, 1713	
Sec. 13 (40 Stat., 280)_____	1714,
1715, 1716, 1717	
Sec. 14 (40 Stat., 281)_____	1718,
1719, 1720, 1721,	
1721a, 1722, 1723	
Sec. 15 (40 Stat., 282)_____	1724,
1725, 1726, 2727,	
1728, 1729, 1730	
Sec. 16 (40 Stat., 282)_____	1731, 1732
Sec. 17 (40 Stat., 283)_____	1733
Sec. 18 (40 Stat., 283)_____	1734
Sec. 19 (40 Stat., 283)_____	1735, 1736
Sec. 20 (40 Stat., 283)_____	1737
Sec. 21 (40 Stat., 283)_____	1738, 1739
Sec. 22 (40 Stat., 283)_____	1740
Sec. 23 (40 Stat., 283)_____	1741, 1742
Sec. 24 (40 Stat., 283-4)_____	1743, 1744
Sec. 25 (40 Stat., 284, 285,	
286)_____	1745, 1746, 1747,
1748, 1749, 1750, 1751, 1752,	
1753, 1754, 1755, 1756, 1757,	
1758, 1759, 1760, 1761, 1762	
Sec. 26 (40 Stat., 286)_____	1763,
1764, 1765, 1766	
Sec. 27 (40 Stat., 287)_____	1767,
1768, 1769	
1917, Sept. 24:	
Sec. 12 (40 Stat., 293)_____	205a
Sec. 12a (40 Stat., 293)_____	205b
Sec. 12b (40 Stat., 293)_____	205c,
205d, 205e	
Sec. 12c (40 Stat., 293)_____	205f
Sec. 12d (40 Stat., 294)_____	205g,
205h, 205i, 205j	
Sec. 12e (40 Stat., 294)_____	205k,
205l, 205m	
Sec. 12f (40 Stat., 294)_____	205n, 205o
Sec. 12g (40 Stat., 294)_____	205p
Sec. 12h (40 Stat., 294)_____	205q, 205r
Sec. 12i (40 Stat., 295)_____	205s
Sec. 12j (40 Stat., 295)_____	205t
Sec. 12k (40 Stat., 295)_____	205u

1917, Sept. 24—Continued.	Par.
Sec. 121 (40 Stat., 295)_____	205v
Sec. 13 (40 Stat., 295)_____	205w
1917, Oct. 1:	
Sec. 1 (40 Stat., 296)_____	889aaa
Sec. 2 (40 Stat., 296)_____	889bbb
Sec. 3 (40 Stat., 297)_____	889ccc
Sec. 4 (40 Stat., 297)_____	889ddd, 889eee
Sec. 5 (40 Stat., 297)_____	889fff,
889ggg, 889hhh, 889iii	
1917, Oct. 3, sec. 1100 (40 Stat.,	
327)_____	251a
1917, Oct. 5 (40 Stat., 340)_____	1468c,
1468d, 1468e, 1468f, 1468g, 1468h,	
1917, Oct. 6 (40 Stat., 351, 351, 351,	
368, 363, 361, 357, 397, 397, 397,	
397, 397, 397, 346, 367, 394, 394,	
398, 398, 366, 367, 356, 356, 343,	
343, 343, 352, 353, 353, 353, 353,	
373, 373, 373, 373, 373, 373, 393,	
393, 397, 394, 394, 395)_____	28a,
28b, 28c, 154d, 547c, 673b, 689c,	
729d, 750d, 750e, 750f, 750g, 776c,	
808b, 832a, 902d, 902c, 1071b,	
1071c, 1190a, 1234a, 1255a, 1255b,	
1272m, 1272n, 1272o, 1274k, 1274l,	
1274m, 1274n, 1274o, 1524a, 1525a,	
1526a, 1526b, 1526c, 1526d, 1532a,	
1537a, 1581a, 1616a, 1616b, 1616c	
1917, Oct. 6:	
(40 Stat., 368) amending act of	
Mar. 3, 1915 (38 Stat., 853)_____	1502b
(40 Stat., 391) amending sec.	
2293, Revised Statutes_____	1272i
(40 Stat., 385), amending sec.	
16, acts of Mar. 2, 1899 (30	
Stat., 981), and Mar. 2, 1901	
(31 Stat., 896)_____	711a, 712a
Sec. 5 (40 Stat., 383)_____	407a, 407b
Sec. 6 (40 Stat., 383), amend-	
ing sec. 5, act of June 22,	
1906 (34 Stat., 449)_____	36a
Sec. 7 (40 Stat., 383-4)_____	36b,
36c, 36d, 36e	
Sec. 8 (40 Stat., 384)_____	44i
1917, Oct. 6:	
Sec. 1 (40 Stat., 398)_____	1483a, 1483b
Sec. 2-12 (40 Stat., 398)_____	1483c
Sec. 2-13 (40 Stat., 399)_____	1483d, 1483e
Sec. 2-14 (40 Stat., 399)_____	1483f-1483h
Sec. 2-15 (40 Stat., 399)_____	1483i-1483l
Sec. 2-16 (40 Stat., 400)_____	1483m
Sec. 2-17 (40 Stat., 400)_____	1483n-1483p
Sec. 2-18 (40 Stat., 400)_____	712aa
Sec. 2-19 (40 Stat., 400)_____	1483aaaa
Sec. 2-20 (40 Stat., 400)_____	1483yyyy,
1483zzzz	
Sec. 2-21 (40 Stat., 400)_____	716a, 716b
Sec. 2-22 (40 Stat., 400-402)_____	1483q-
1483r	
Sec. 2-23 (40 Stat., 402)_____	1483ff
Sec. 2-24 (40 Stat., 402)_____	1483gg,
1483hh	
Sec. 2-25 (40 Stat., 402)_____	1483ii
Sec. 2-26 (40 Stat., 402)_____	1483jj
Sec. 2-200 (40 Stat., 402)_____	712b
Sec. 2-201 (40 Stat., 402-3)_____	712c-712f

1917, Oct. 6—Continued.	Par.
Sec. 2-202 (40 Stat., 403)-----	712g
Sec. 2-203 (40 Stat., 403)--- 716c, 716d	
Sec. 2-204 (40 Stat., 403)--- 712h-712m	
Sec. 2-205 (40 Stat., 404)--- 712n-712q	
Sec. 2-206 (40 Stat., 404)--- 712r, 712s	
Sec. 2-207 (40 Stat., 404)--- 712t, 712u	
Sec. 2-208 (40 Stat., 404)-----	712v
Sec. 2-209 (40 Stat., 404)-----	712w
Sec. 2-210 (40 Stat., 404-5)--- 712x-	
	712z
Sec. 2-300 (40 Stat., 405)-----	1483kk
Sec. 2-301 (40 Stat., 405)--- 1483ll-	
	1483uu
Sec. 2-302 (40 Stat., 406)--- 1483vv-	
	1483ddd
Sec. 2-303 (40 Stat., 406-7) - 1483eee-	
	1483jjj
Sec. 2-304 (40 Stat., 407)-----	1293i-
	1293l
Sec. 2-305 (40 Stat., 407)--- 1483kkk	
Sec. 2-306 (40 Stat., 407)-----	1483lll
Sec. 2-307 (40 Stat., 407)--- 1483mmm	
Sec. 2-308 (40 Stat., 407)--- 1483nnn,	
	1483ooo
Sec. 2-309 (40 Stat., 407-8) - 1483ppp-	
	1483sss
Sec. 2-310 (40 Stat., 408)-----	1483ttt
Sec. 2-311 (40 Stat., 408)--- 1483uuu	
Sec. 2-312 (40 Stat., 408)--- 1483vvv-	
	1343xxx
Sec. 2-313 (40 Stat., 408)--- 1483yyy,	
	1483zzz
Sec. 2-314 (40 Stat., 408)-----	1498h,
	1498i, 1483bbb
Sec. 2-400 (40 Stat., 409)-----	1483cccc
Sec. 2-401 (40 Stat., 409) - 1483ddd-	
	1483gggg
Sec. 2-402 (40 Stat., 409-10)---	
	1483hhhh-1483pppp
Sec. 2-403 (40 Stat., 410)--- 1483qqq,	
	1483rrrr
Sec. 2-404 (40 Stat., 410)--- 1483ssss-	
	1483uuuu
Sec. 2-405 (40 Stat., 410)--- 1483vvvv-	
	1483xxxx, 1483aaaa
Sec. 3 (40 Stat., 410-11)-----	350d,
	350e, 352a, 373a

1917, Oct. 6:

Sec. 1 (40 Stat., 411)-----	1420a
Sec. 2 (40 Stat., 411-12)-----	1420b,
	1420c, 1420d, 1420e, 1420f,
	1420g, 1420h, 1420i
Sec. 3 (40 Stat., 412-13)-----	1425a,
	1425b, 1425c, 1425d, 1425e, 1425f
Sec. 4 (40 Stat., 413-14)-----	1425g,
	1425h, 1425i, 1425j, 1425k,
	1425l, 1425m, 1425n, 1425o,
	1425p, 1425q, 1425r
Sec. 5 (40 Stat., 415)-----	1425s,
	1425t, 1425u
Sec. 6 (40 Stat., 415)-----	1424a,
	1424b, 1424c, 1424d, 1424e, 1424f
Sec. 7 (40 Stat., 416, 417, 418) - 1427a,	
	1427b, 1427c, 1427d, 1427e, 1427f,
	1427g, 1420j, 1420k, 1420l, 1420m,

1917, Oct. 6—Continued.	Par.
1420n, 1420o, 1420p, 1420q, 1420r,	
1420s, 1424g, 1424h, 1424i, 1424j,	
1424k, 1424l, 1424m	
Sec. 8 (40 Stat., 418-19)-----	1424n,
	1424o, 1424p, 1424q, 1424r, 1424s
Sec. 9 (40 Stat., 419-20)-----	1424t,
	1424u, 1424v, 1424w, 1424x
Sec. 10 (40 Stat., 420, 421, 422) - 1425v,	
	1425w, 1425x, 1425y, 1425z,
	1425aa, 1425bb, 1425cc, 1425dd,
	1425ee, 1425ff, 1425gg, 1425hh,
	1425ii, 1425jj, 1425kk, 1425ll,
	1425mm, 1425nn, 1425oo, 1425pp,
	1425qq, 1425rr
Sec. 11 (40 Stat., 422)-----	1431a
Sec. 12 (40 Stat., 423-24)-----	1424y,
	1424z, 1424aa, 1424bb, 1424cc,
	1424dd, 1424ee, 1424ff, 1424gg,
	1424hh, 1424il
Sec. 13 (40 Stat., 424)--- 1439a, 1439b	
Sec. 14 (40 Stat., 424)--- 1439c, 1439d	
Sec. 15 (40 Stat., 425)-----	1424jj
Sec. 16 (40 Stat., 425)-----	1425ss
Sec. 17 (40 Stat., 425)-----	1425tt
Sec. 18 (40 Stat., 425)-----	1425uu
Sec. 19 (40 Stat., 425-26)-----	253f,
	253g, 253h, 253i, 253j, 253k

Joint Resolution—

No. 52, July 12, 1862 (12 Stat., 623)-----	1013a
No. 13, July 3, 1876 (19 Stat., 214)-----	1380
No. 26, June 7, 1878 (20 Stat., 252)-----	1381
No. 5, Jan. 6, 1885 (23 Stat., 516)-----	54
No. 6, Feb. 23, 1887 (24 Stat., 644)-----	55
No. 41, Aug. 28, 1890 (26 Stat., 678)-----	800
No. 50, Sept. 25, 1890 (26 Stat., 681)-----	1020
No. 9, Feb. 5, 1891 (26 Stat., 1113)-----	953a
No. 23, May 11, 1894 (28 Stat., 583)-----	1021
No. 51, May 2, 1896 (29 Stat., 473)-----	1017
No. 21, Apr. 11, 1898 (30 Stat., 737)-----	259.805
No. 2, Jan. 12, 1903 (32 Stat., 1229)-----	1024
No. 23, Apr. 15, 1904 (33 Stat., 588)-----	1015
No. 35, Apr. 28, 1904 (33 Stat., 591)-----	441
No. 13, Mar. 30, 1906 (34 Stat., 825)-----	114
No. 14, Mar. 30, 1906 (34 Stat., 826)-----	117
No. 17, Feb. 27, 1907 (34 Stat., 1422)-----	1016
No. 18, Mar. 2, 1907 (34 Stat., 1423)-----	1022
No. 10, Mar. 14, 1912 (37 Stat., 630)-----	1475

Joint Resolution—Continued.

Par.

No. 11, Mar. 2, 1913 (37 Stat., 1025)-----	1259b
No. 10, Apr. 22, 1914 (38 Stat., 770)-----	1475a, 1475b
No. 15, May 8, 1914 (38 Stat., 771)-----	775b
No. 15 (sec. 2), May 8, 1914 (38 Stat., 771)-----	775c
No. 14, Mar. 4, 1915 (38 Stat., 1226)--- 1469a 1469b, 1472a, 1472b	
No. —, Mar. 17, 1916 (39 Stat., 36)-----	332b, 332c
No. —, May 18, 1916 (39 Stat., 164)-----	775d
No. —, July 1, 1916:	
Sec. 1 (39 Stat., 339)-----	1339h, 1339j
Sec. 2 (39 Stat., 340)-----	1339j
Sec. 3 (39 Stat., 340)-----	1339k, 1339l
Sec. 4 (39 Stat., 340)-----	1339m, 1339n
No. —, Aug. 29, 1916 (39 Stat., 671)-----	1272a

Joint Resolution—Continued.

Par.

No. —, Sept. 8, 1916 (39 Stat., 851)-----	1568
No. —, Apr. 6, 1917 (40 Stat., 1)-----	1415a
No. —, May 12, 1917:	
Sec. 1 (40 Stat., 75)-----	1415b
Sec. 2 (40 Stat., 75)-----	1415c
No. —, May 22, 1917 (40 Stat., 90)-----	1279c, 1279d
No. —, June 9, 1917 (40 Stat., 102)-----	1279e
No. —, June 15, 1917 (40 Stat., 231)-----	975d
No. —, July 9, 1917 (40 Stat., 242)-----	534q
No. —, July 17, 1917 (40 Stat., 243)-----	1272j, 1272l
No. —, Oct. 5, 1917 (40 Stat., 343)-----	1272m-1272o
No. —, Oct. 6, 1917 (40 Stat., 427)-----	1274p

REVISED STATUTES.

Revised Statutes (section).	Military laws.		Revised Statutes (section).	Military laws.	
	Para-graph.	Page. ¹		Para-graph.	Page.
152.	3	8	306.	241	92
161.	19	18	307.	242	93
163, as amended by act of Aug. 15, 1876 (19 Stat., 169)	43	25	308.	243	94
165.	26	20	309.	244	94
166, as amended by sec. 3, act of May 28, 1896 (29 Stat., 179)	34	22	310.	183	66
167.	44	25	310, as amended by sec. 5, act of July 1, 1916 (39 Stat., 336)	183a	.....
168.	45	25	354.	261	103
169, as amended by act of Mar. 3, 1875 (18 Stat., 360)	25	20	355.	258	102
170.	46	25	356.	262	103
173.	20	18	357.	260	102
174.	21	18	361.	263	103
175.	22	19	364.	264	103
176.	23	20	383.	265	103
177.	13	17	391, as amended by sec. 15, act of Mar. 5, 1874 (18 Stat., 19)	249	97
178.	14	17	392, as amended by sec. 15, act of Mar. 5, 1874 (18 Stat., 20)	250	97
179.	15	17	751.	266	104
180, as amended by act of Feb. 6, 1891 (26 Stat., 733)	16	17	752.	267	104
181.	17	17	753.	268	104
182.	18	17	754.	269	105
183, as amended by act of Feb. 13, 1911 (36 Stat., 898)	64	30	755.	270	105
184.	134	49	756.	271	105
185.	135	49	757.	272	106
186.	136	49	758.	273	106
187.	137	49	759.	274	106
188.	139	49	761.	275	106
189.	138	49	886, as amended by sec. 10, act of Mar. 2, 1895 (28 Stat., 809)	247	95
190.	140	50	886, as amended by sec. 17, act of July 31, 1894 (28 Stat., 210)	247	95
192, as amended by act of June 22, 1906 (34 Stat., 449)	76	34	1098.	351	142
193.	79	34	1104.	1072	394
195.	104	41	1105.	1073	394
196.	106	42	1108.	1096	402
197, as amended by act of Feb. 27, 1877 (19 Stat., 241)	109	42	1109.	819	313
214.	141	51	1110.	820	314
215, as amended by act of Feb. 27, 1877 (19 Stat., 241)	144	52	1111, as amended by act of Mar. 3, 1905 (33 Stat., 853)	1165	421
216.	147	53	1114.	356	144
217.	148	53	1116.	1026	378
218.	149	54	1117.	1028	378
219.	516	214	1118.	1027	378
220.	524	216	1120.	1032	381
225.	153	54	1120, repealed by act of May 12, 1917 (40 Stat., 53)	1032b	.....
225.	1260	468	1122.	908	340
228.	193a	.....	1123.	905	339
236.	215	81	1124.	915	341
237, as amended by sec. 9, act of Oct. 1, 1890 (26 Stat., 646)	195	73	1125.	914	341
278, as amended by sec. 7, act of July 31, 1894 (28 Stat., 206)	213	81	1126.	916	341
282.	214	81	1127.	917	341
283.	204	77	1130.	437	180
301.	178	64	1132, as amended by act of Feb. 25, 1877 (19 Stat., 242)	146	52
305, as amended by sec. 11, act of July 31, 1894 (28 Stat., 209)	179	64	1133.	515	214
			1135.	517	214
			1136.	545	223
			1136.	1290	482

¹ The pagination in this column refers to the Military Laws of 1915, corrected to Mar. 5, 1917, and does not refer to the pagination of this supplement as a separate volume. The table of statistics index, etc., are complete as to the original volume as well as the supplement which, after its preparation, it was found necessary to publish as a separate volume.

Revised Statutes (section).	Military laws.		Revised Statutes (section).	Military laws.	
	Para-graph.	Page.1		Para-graph.	Page.
1138.....	519	215	1236.....	1007	370
1139, as amended by act of Feb. 27, 1877 (19 Stat., 242).....	1259	468	1227.....	1019	375
1140, as amended by sec. 17, act of Feb. 2, 1901 (31 Stat., 752).....	580	232	1228.....	991	366
1141.....	587	235	1229.....	992	366
1142.....	584	234	1230.....	994	366
1143.....	590	236	1231.....	1293	433
1144.....	587	235	1232.....	1068	391
1145.....	605	239	1234.....	610	241
1147.....	601	238	1235.....	585	229
1148.....	600	238	1236.....	566	229
1149.....	606	240	1237.....	1067	391
1150.....	591	236	1241.....	773	296
1152.....	798	306	1243.....	1261	469
1153.....	807	308	1244.....	962	360
1156, as amended by sec. 11, act of Feb. 2, 1901 (31 Stat., 750).....	794	305	1245.....	963	361
1157.....	797	305	1246.....	968	362
1158.....	789	305	1247.....	976	363
1162.....	821	314	1248.....	977	363
1163.....	822	314	1249.....	978	363
1164.....	823	314	1250.....	979	363
1165.....	825	314	1251.....	980	363
1166.....	824	314	1252.....	981	363
1167.....	833	316	1253.....	982	364
1167, as amended by act of Feb. 27, 1877 (19 Stat., 242).....	835	316	1254.....	983	364
1167, as amended by act of Feb. 29, 1903 (32 Stat., 885).....	834	316	1255.....	984	364
1189.....	335	144	1256.....	986	365
1174.....	743	289	1257.....	988	365
1175.....	775	296	1258, as amended by act of Feb. 16, 1891 (26 Stat., 763).....	987	365
1177.....	763a	722	1259.....	966	361
1178.....	783b	723	1260.....	956	359
1183.....	624	244	1261, as amended by act of May 11, 1908 (35 Stat., 108).....	948	356
1184.....	614	242	1262.....	635	246
1185.....	615	242	1263.....	652	252
1186.....	619	243	1264.....	653	252
1187.....	620	243	1265.....	638	248
1188.....	621	243	1266.....	661	254
1189.....	625	244	1267.....	667	256
1190, as amended by act of June 30, 1882 (22 Stat., 118).....	629	245	1268.....	674	258
1191.....	387	158	1269.....	677	258
1197.....	890c	745	1270.....	651	252
1199.....	471	194	1271.....	651a	706
1201.....	470	194	1274.....	658	253
1205.....	934	349	1275.....	660	253
1206.....	788	304	1276, as amended by act of Aug. 12, 1876 (19 Stat., 131).....	696	296
1207, as amended by act of Oct. 1, 1890 (25 Stat., 654).....	386	157	1277.....	774	296
1207.....	787	304	1279.....	817	313
1209.....	999	369	1287, as amended by acts of July 5, 1884 (23 Stat., 110), and Mar. 3, 1885 (23 Stat., 359).....	562	223
1210.....	1001	370	1288.....	720	272
1211.....	354	144	1291.....	726	275
1212.....	1066	370	1292.....	1394a	841
1212.....	1005	370	1293.....	596	237
1213, as amended by act of May 17, 1886 (24 Stat., 50).....	1154	418	1294.....	602	238
1214.....	919	344	1295, as amended by sec. 19, act of Feb. 2, 1901 (31 Stat., 753).....	598	237
1215.....	1155	419	1296.....	571	230
1218, as amended by act of Mar. 29, 1892 (27 Stat., 12).....	1018	374	1298.....	572	230
1219.....	353	144	1299.....	692	265
1220.....	577	232	1300.....	725	274
1220.....	836	317	1301.....	724	274
1221, as amended by act of Mar. 29, 1894 (28 Stat., 47).....	573	231	1302.....	575	231
1222.....	995	367	1303.....	690	234
1223.....	997	367	1304.....	691	235
1224, as amended by act of Feb. 27, 1877 (19 Stat., 243).....	996	367	1305.....	717	272
1225.....	942	353	1307.....	718	272
			1308, as amended by act of July 16, 1892 (27 Stat., 178).....	575	231
			1309.....	1106	495
			1310.....	1110	407
			1311.....	1111	408
			1312.....	1112	408

¹ The pagination in this column refers to the Military Laws of 1915, corrected to Mar. 5, 1917, and does not refer to the pagination of this supplement as a separate volume. The table of statistics, index, etc., are complete as to the original volume as well as the supplement which, after its preparation, it was found necessary to publish as a separate volume.

Revised Statutes (section).	Military laws.		Revised Statutes (section).	Military laws.	
	Para-graph.	Page. ¹		Para-graph.	Page.
1313.....	1108	407	1666.....	856	321
1314.....	1109	407	1669.....	858	321
1314.....	1114	409	1671.....	860	322
1315, as amended by sec. 4, act of June 6, 1900 (31 Stat., 656).....	1139	414	1753.....	163	57
1317.....	1145	416	1754.....	164	58
1318.....	1143	417	1755.....	165	58
1319, as amended by act of Mar. 2, 1901 (31 Stat., 911).....	1147	17	1757, as amended by act of June 6, 1898 (30 Stat., 432).....	60	29
1320.....	1150	417	1758.....	62	29
1321.....	1151	417	1759.....	61	29
1322.....	1153	419	1760.....	167	58
1323.....	1159	419	1761.....	168	58
1324.....	1160	420	1764.....	47	26
1325.....	1162	420	1765.....	170	69
1325, as amended by act of Aug. 11, 1916 (39 Stat., 493).....	1162d		1766.....	693	265
1326.....	1163	420	1773.....	9	12
1327.....	1174a	794	1774.....	10	12
1328.....	1175	425	1775.....	11	12
1329.....	1174b	794	1777.....	323	126
1330.....	1138	414	1778.....	63	30
1331.....	1107	407	1779.....	77	34
1332.....	1172	424	1784.....	177	61
1333.....	1129	412	1791.....	1523	575
1334.....	1113	409	1792.....	1529	575
1335.....	1135	413	1793.....	1530	575
1336, as amended by sec. 4, act of June 23, 1879 (21 Stat., 34).....	1125	410	1794.....	1531	575
1337.....	1127	412	1838.....	1275	475
1338, as amended by act of Mar. 2, 1901 (31 Stat., 914).....	1131	412	1841.....	1375	509
1339, as amended by act of May 11, 1908 (35 Stat., 108).....	1153	418	1850.....	1377	510
1339, as amended by act of June 28, 1902 (32 Stat., 409).....	1153	418	1857.....	1378	510
1339, as amended by act of May 28, 1908 (35 Stat., 430).....	1153	418	1860.....	960	269
1340.....	1134	413	1977.....	1442	540
1341.....	1176	425	1978.....	1443	540
1344.....	474	196	1979.....	1444	540
1344, as amended by acts of May 21, 1874 (18 Stat., 48); Mar. 4, 1915 (38 Stat., 1084).....	475b	692	1980.....	1445	540
1346, as amended by act of Jan. 19, 1891 (26 Stat., 722).....	478	197	1981.....	1446	541
1347.....	480	197	1982.....	1447	542
1347, as amended by act of Mar. 4, 1915 (38 Stat., 1085).....	480a	693	1983.....	1448	542
1348, as amended by act of Jan. 19, 1891 (26 Stat., 722).....	479	197	1984.....	1449	542
1349.....	482	197	1985.....	1450	543
1350.....	481	197	1986.....	1451	543
1350, as amended by act of Mar. 4, 1915 (38 Stat., 1085).....	481a	694	1987.....	1452	543
1351.....	486	198	1988.....	1453	543
1352.....	488	198	1989.....	1454	543
1352, as amended by act of Mar. 4, 1915 (38 Stat., 1085, 1074).....	488a, } 488b }	694-5	1990.....	1455	544
1353.....	481	199	1991.....	1456	544
1354.....	492	199	1996.....	1050	385
1355.....	494	199	1997.....	1051	385
1356.....	489	198	1998, as amended by act of Aug. 22, 1912 (37 Stat., 356).....	1052	386
1357.....	490	198	2062.....	1396	521
1358.....	483	197	2063.....	1398	521
1359.....	484	197	2088.....	1399	522
1360.....	485	198	2110.....	599	238
1361.....	493	199	2118.....	1400	522
1421.....	1036	382	2127.....	1401	522
1437.....	306	119	2138.....	1402	523
1466.....	352	143	2139, as amended by act of July 23, 1892 (27 Stat., 260).....	1403	523
1619.....	304	119	2140.....	1406	525
1621.....	305	119	2141.....	1407	526
1662.....	853	320	2147.....	1409	526
1663.....	854	320	2150.....	1410	527
1665.....	855	321	2151.....	1411	527
			2152.....	1412	523
			2166.....	1064	389
			2171.....	1064a	
			2174.....	1066	390
			2258.....	1268	470
			2293, as amended by act of Oct. 6, 1917 (40 Stat., 391).....	1272i	
			2304, as amended by act of Mar. 1, 1901 (31 Stat., 847).....	1270	471
			2305, as amended by act of Mar. 1, 1901 (31 Stat., 847).....	1271	472
			2308.....	1272	473

¹ The pagination in this column refers to the Military Laws of 1915, corrected to Mar. 5, 1917, and does not refer to the pagination of this supplement as a separate volume. The table of statistics, index, etc., are complete as to the original volume as well as the supplement which, after its preparation, it was found necessary to publish as a separate volume.

Revised Statutes (section).	Military laws.		Revised Statutes (section).	Military laws.	
	Para-graph.	Page. ¹		Para-graph.	Page.
2309.....	1273	474	3682.....	74	33
2393.....	1269	471	3683.....	73	33
2438.....	1053	386	3690.....	193	72
2477.....	1283a	.....	3691.....	191	71
3466.....	221	86	3692.....	405	167
3467.....	222	86	3709.....	1196	435
3468.....	223	86	3710.....	1208	441
3469.....	233	90	3711, as amended by sec. 6, act of Mar. 2, 1895 (28 Stat., 808), and sec. 6, act of Mar. 15, 1898 (35 Stat., 316).....	1242	459
3477.....	240	91	3712.....	1243	459
3480, repealed by act of July 6, 1914 (33 Stat., 454).....	215b	.....	3713.....	1244	459
2482.....	217b	.....	3714.....	1189	432
3483.....	217c	.....	3715.....	1233	458
3484.....	217d	.....	3716.....	1205	440
3485.....	217e	.....	3717.....	1209	441
3486.....	217f	.....	3731.....	1241	453
3487.....	217g	.....	3732, as amended by act of June 12, 1906 (34 Stat., 255).....	1190	433
3490.....	220a	.....	3733.....	1191	434
3502, 3594.....	181	65	3735.....	1194	434
3595.....	180	65	3736.....	1274	474
3614.....	248	96	3737.....	1233	456
3617.....	403	167	3738.....	1218	447
3618.....	404	167	3741.....	1215	444
3620.....	184	66	3743, as amended by act of July 31, 1894 (28 Stat., 210).....	1216	444
3620.....	400	164	3744, as amended by act of June 15, 1917 (40 Stat., 198).....	1211	443
3621, as amended by sec. 5, act of May 28, 1896 (29 Stat., 179).....	400	164	3745.....	1211d	.....
3622, as amended by acts of Feb. 27, 1877 (19 Stat., 249), and July 31, 1894 (28 Stat., 209).....	415	170	3746.....	1212	443
3623.....	416	171	3747.....	1213	443
3624, as amended by sec. 4, act of July 31, 1894 (28 Stat., 205).....	203	76	3748.....	1214	444
3625.....	224	87	3749.....	1262	469
3626.....	225	87	3752.....	1278	476
3627.....	226	87	3823.....	1201	439
3628.....	227	87	3950, as amended by act of Mar. 3, 1875 (18 Stat., 370).....	93	38
3629.....	228	87	4692.....	1481	555
3630.....	229	88	4693.....	1482	556
3632.....	230	88	4694.....	1483	556
3633.....	231	88	4695.....	1484	557
3634.....	232	88	4696.....	1485	557
3635.....	233	88	4698.....	1486	558
3636.....	234	88	4699.....	1492	560
3637.....	235	89	4700.....	1494	561
3638.....	236	89	4701.....	1495	561
3639.....	185	66	4703.....	1497	561
3639.....	388	153	4707.....	1500	563
3643.....	409	169	4708, as amended by sec. 1, act of Feb. 28, 1913 (32 Stat., 920).....	1501	564
3643, as amended by act of Feb. 23, 1909 (35 Stat., 643).....	245	94	4787, as amended by sec. 1, act of Aug. 15, 1875 (19 Stat., 203); act of Feb. 27, 1877 (19 Stat., 252); and act of Mar. 3, 1891 (26 Stat., 1103).....	782	298
3647, as amended by act of Feb. 23, 1903 (35 Stat., 643).....	245	95	4792.....	1462	445
3647, as amended by act of Mar. 21, 1913 (33 Stat., 37).....	245a	657	4894, as amended by act of July 6, 1916 (39 Stat., 348).....	1616	890
3648.....	407	168	4814.....	1514	569
3648.....	649	251	4815, as amended by sec. 10, act of Mar. 3, 1883 (22 Stat., 565).....	1502	565
3651.....	401	165	4816.....	1505	567
3652.....	402	166	4817.....	1503	566
3662.....	95	39	4818.....	1507	567
3663, as amended by act of Feb. 27, 1887 (19 Stat., 249).....	97	40	4819.....	1508	567
3664.....	89	37	4820.....	1519	570
3665.....	88	37	4821.....	1515	569
3669, as amended by acts of June 20, 1874 (18 Stat., 93, 109, 111); Mar. 3, 1875 (18 Stat., 355, 370); Aug. 15, 1876 (19 Stat., 200).....	86	37	4822.....	1516	570
3672, as amended by act of Feb. 27, 1877 (19 Stat., 249).....	100	40	4823.....	1517	570
3678.....	187	67	4824.....	1521	571
3679, as amended by sec. 4, act of Mar. 3, 1905 (33 Stat., 1257), and sec. 3, act of Feb. 27, 1906 (34 Stat., 48).....	188	68-70	4838.....	1524	573
3681.....	190	71	4843, as amended by act of Feb. 9, 1900 (31 Stat., 7).....	1525	573
			4874.....	1303	485

¹ The pagination in this column refers to the Military Laws of 1915, corrected to Mar. 5, 1917, and does not refer to the pagination of this supplement as a separate volume. The table of statistics, index, etc., are complete as to the original volume as well as the supplement which, after its preparation, it was found necessary to publish as a separate volume.

Revised Statutes (section).	Military laws.		Revised Statutes (section).	Military laws.	
	Para-graph.	Page. ¹		Para-graph.	Page.
4875.....	1304	486	5305.....	1425	535
4877.....	1305	486	5307.....	1426	535
4878.....	1308	487	5308.....	1427	535
4878, as amended by act of Mar. 3, 1897 (29 Stat., 625).....	1309	487	5309.....	1428	535
4882.....	1310	487	5310.....	1429	535
5153, as amended by act of Mar. 3, 1901 (31 Stat., 1448).....	182	65	5311.....	1430	535
5153, as amended by act of sec. 3, act of Mar. 4, 1907 (34 Stat., 1290); sec. 27, act of Dec. 23, 1913 (38 Stat., 274); and act of Aug. 4, 1914 (38 Stat., 182).....	182a	.....	5312.....	1431	535
5275.....	1476	533	5313.....	1432	537
5297.....	1416	530	5314.....	1433	537
5298.....	1417	531	5315.....	1434	537
5299.....	1418	532	5316.....	1435	537
5300.....	1419	532	5317.....	1436	538
5301.....	1420	533	5318.....	1437	539
5302.....	1421	533	5319.....	1438	539
5303.....	1422	533	5320.....	1439	539
5304.....	1423	534	5321.....	1440	539
5305.....	1424	534	5322.....	1441	539
			5377.....	1479	554
			5505.....	313	123
			5509.....	314	123
			5597.....	315	123
			5600.....	316	124
			5601.....	317	124

¹ The pagination in this column refers to the Military Laws of 1915, corrected to Mar. 5, 1917, and does not refer to the pagination of this supplement as a separate volume. The table of statistics, index, etc., are complete as to the original volume as well as the supplement which, after its preparation, it was found necessary to publish as a separate volume.

TABLE OF RELATED STATUTES.

MILITARY LAWS OF THE UNITED STATES. 1915-1917.

Adjutant General's Department: Appointments in, from Volunteers. Act Mar. 2, 1901 (31 Stat. 900).

Adjutant General's office, employees of, to be exclusively engaged on the work of that office during fiscal year 1917. Act of May 10, 1916 (39 Stat. 90).

Advertising business of attorneys practicing before executive departments. Act of Apr. 27, 1916 (39 Stat. 54).

Advertising, unserviceable equipment of Panama Canal may be sold without. *See* Panama Canal.

Alabama flood sufferers of 1916, Secretary of War authorized to relieve with food, Quartermaster and Medical Department supplies, etc. J. Res. of Aug. 3, 1916 (39 Stat. 434).

Alaska:

“Alaska fund”—

Collection of, United States marshal and deputies to assist. Sec. 1, Act of May 14, 1906 (34 Stat. 192).

Derivation and use of. Sec. 1, Act of May 14, 1906 (34 Stat. 192).

Army officers, retired, duty as road commissioners. Act of Mar. 3, 1911 (36 Stat. 1052).

Board of Road Commissioners—

Army officers, retired, assigned to duty on. Act of Mar. 3, 1911 (36 Stat. 1052).

Composition, powers, duties, etc. Sec. 2, Act of May 14, 1906 (34 Stat. 192).

Bridges, roads, etc., maintained by “Alaska fund.” Sec. 1, Act of May 14, 1906 (34 Stat. 192).

Bureau of Education, medical relief by employees of. Sec. 15, Act of Feb. 6, 1904 (35 Stat. 604).

Coal mines, United States option on output of certain. Sec. 2, Act of May 28, 1908 (35 Stat. 424).

Collection of license fees (“Alaska fund”). Sec. 1, Act of May 14, 1906 (34 Stat. 192).

Detail of Lient. Frederick Mears in connection with the location and construction of Government railroads in. J. Res. No. 17, May 13, 1914 (38 Stat. 772).

Emergency cases, medical relief by employees of Bureau of Education not inhibited. Sec. 15, Act of Feb. 6, 1909 (35 Stat. 604).

Fees from liquor and trade licenses, collection and use of. Sec. 1, Act of May 14, 1906 (34 Stat. 192).

Insane persons, provision for care of. Sec. 1, Act of May 14, 1906 (34 Stat. 192); sec. 7, Act of Feb. 6, 1909 (35 Stat. 601).

Alaska—Continued.

Licenses, liquor and trade, collection and use of fees. Sec. 1, Act of May 14, 1906 (34 Stat. 192).

Liquor licenses, collection and use of fees from. Sec. 1, Act of May 14, 1906 (34 Stat. 192).

Liquors, alcoholic, prohibition of manufacture and sale in. Secs. 1-33, Act of Feb. 14, 1917 (39 Stat. 903).

Medical relief by employees of Bureau of Education. Sec. 15, Act of Feb. 6, 1909 (35 Stat. 604).

Mines, coal, certain, United States option on output of. Sec. 2, Act of May 28, 1908 (35 Stat. 424).

Public schools, supported by "Alaska fund." Sec. 1, Act of May 14, 1906 (34 Stat. 192).

Retired Army officers, duty as road commissioners. Act of Mar. 3, 1911 (36 Stat. 1052).

Roads, bridges, etc., maintained by "Alaska fund." Sec. 1, Act of May 14, 1906 (34 Stat. 192).

Road Commissioners, Board of—

Army officers, retired, as members of. Act of Mar. 3, 1911 (36 Stat. 1052).

Composition, powers, duties, etc. Sec. 2, Act of May 14, 1906 (34 Stat. 192).

Schools, public, supported by "Alaska fund." Sec. 1, Act of May 14, 1906 (34 Stat. 192).

Trade and liquor licenses, collection and use of fees from. Sec. 1, Act of May 14, 1906 (34 Stat. 192).

Aliens, declaration of intention to become citizens of United States. *See* Naturalization.

American citizens in Europe, relief, protection, and transportation of, made necessary by existing political disturbances, etc. *See* Europe.

American citizens in Mexico:

Relief and transportation of destitute. J. Res. No. 10, Sept. 16, 1913 (38 Stat. 238).

Relief and transportation of destitute. Act of July 14, 1916 (39 Stat. 359).

Relief and transportation of. Act of April 24, 1914 (38 Stat. 346).

Anchorage grounds:

Secretary of War authorized to establish and define in all harbors, rivers, bays, and other navigable waters. *See* Rivers and harbors.

Rules and regulations governing to be enforced by Chief of Engineers at ports or places where no revenue cutter is available, etc. *See* Rivers and harbors.

Animals, prevent cruelty in transit. Act of June 29, 1906 (34 Stat. 607.)

Annual report, Chief of Engineers. *See* Corps of Engineers.

Annual reports, time for heads of departments to submit to Public Printer. *See* Printing and binding.

Antietam Battlefield. *See* National military parks.

Appropriations:

Consolidated items for river and harbor work, with aggregate amount therefor, allotments to respective works, and disposition of balances remaining to credit of separate work or items, etc. *See* Rivers and harbors.

Printing and binding, restrictions on expenditures from allotments for. *See* Printing and binding.

Aqueduct Bridge, District of Columbia and Virginia. *See* Corps of Engineers.
 Arbitration, court of or other tribunal. President authorized to invite all of the great Governments of the world to send representatives to a conference to be charged with the formulation of a plan for. Act of Aug. 29, 1916 (39 Stat. 618).

Appointment of nine citizens to be representatives of the United States in such a conference. *Id.*

Compensation of representatives, etc., to be fixed by President. Appropriation made and set aside for expenses of. *Id.*

Arbitration, declared policy of United States to settle its international disputes through mediation or. Act of Aug. 29, 1916 (39 Stat. 618).

Archives building, national, in District of Columbia. Designs and estimates to be prepared, space required, provision for subsequent extension, and inspection of similar buildings, etc., abroad. Sec. 21, Act of Mar. 4, 1913 (37 Stat. 884).

Inspection of archives buildings abroad required by paragraph 4, Sec. 21, of above Act repealed. Act of June 28, 1916 (39 Stat. 241).

Arlington memorial amphitheater and chapel:

Authorized. Sec. 14, Act Mar. 4, 1913 (37 Stat. 882).

Commission designated, duties, etc. Sec. 16, Act May 30, 1908 (35 Stat. 540).

Name of John McElroy, representing Grand Army of the Republic, substituted for that of Ivory G. Kimball, deceased. Sec. 5, Act of Sept. 8, 1916 (39 Stat. 830).

Arms:

Equipment and, distribution to States. *See* Militia.

Issue of Springfield rifles to States. *See* Militia.

Ordnance stores and, crediting for issues during Civil War. *See* Militia.

Sale of, to Indians prohibited. *See* Indians.

Army:

Enlistment in military service of foreign Governments, ministers of United States may issue writs to prevent American citizens from. *See* Neutrality.

President authorized to employ all persons in land and naval service in connection with Coast and Geodetic Survey work. Sec. 4685, R. S.

Women not allowed to accompany troops as laundresses. Sec. 5, Act of June 18, 1878 (20 Stat. 150).

Army nurses, pensionable status. *See* Pensions.

Army officers accountable for public property to obtain certificates of nonindebtedness, etc., before discharge. *See* Public property.

Army officers, detail of—

Accept position under Government of Greater Republic of Central America. J. Res. No. 23, Mar. 3, 1897 (29 Stat. 704).

Active or retired with Panama-California Exposition, San Diego, Cal. J. Res. No. 4, Jan. 15, 1915 (38 Stat. 1221).

Active or retired with the Panama-Pacific International Exposition. Act of Mar. 4, 1915 (38 Stat. 1065).

Alaskan railroads. Lieut. Frederick Mears to assist in location and construction of. J. Res. No. 17, May 13, 1914 (38 Stat. 772).

Coast and Geodetic Survey work, topographical parts of. Sec. 4684, R. S. Allowance of subsistence while so detailed. Sec. 4688, R. S.

Engineer officers to assist Mississippi River Commission. Secs. 3 and 6, Act of June 28, 1879 (21 Stat. 38).

Army officers, detail of—Continued.

Engineer officers to assist Missouri River Commission. Act of July 5, 1884 (23 Stat. 144).

Engineer officers to superintend construction of lighthouses. Sec. 4664, R. S. Governor of the West Indian Islands. Sec. 1; Act of Mar. 3, 1917 (39 Stat. 1132).

Grant leave of absence to officer of Corps of Engineers to assist Republic of China on reclamation work of the Huai River; termination of detail, pay during absence, etc. J. Res. No. 18, May 22, 1914 (38 Stat. 772).

Indian education. Sec. 7, Act of June 23, 1879 (21 Stat. 35).

Indian industrial and training school. Act of July 31, 1882 (22 Stat. 181).

Medical officer with Red Cross. Act of Mar. 3, 1911 (36 Stat. 1041).

Ordnance officers with Geological Survey. Act of June 16, 1880 (21 Stat. 274).

Panama-Pacific International Exposition, prohibitions against details to other service not applicable to, allowances for in lieu of transportation and mileage, etc. Act of June 23, 1913 (38 Stat. 76).

Army officers, Philippine Islands—

As attorneys and peace officers. *See* Philippine Islands.

Salary of, when detailed to duty under insular government. *See* Philippine Islands.

To be justices of the peace in connection with sale of intoxicating liquors. *See* Philippine Islands.

Army officers, retention of Maj. Gen. Arthur Murray on active list of the Army as an additional officer and in command of the Western Department from Apr. 29, 1915, until the close of the Panama-Pacific International Exposition, Dec. 4, 1915; and the number of major generals of the line of the Army on the active list is increased by one during the period named. Act of Mar. 4, 1915 (38 Stat. 1065).

Army, Philippine Islands, aid civil authorities. *See* Philippine Islands.

Army supplies, sale of, to the militia, credit for proceeds of. *See* Militia.

Arrests of trespassers, etc., on Presidio of San Francisco, civil police may be called upon to make. Act of June 4, 1888 (25 Stat. 167).

Articles of War:

Fort Bayard Hospital subject to. *See* Medical Department.

Inmates of National Homes for Disabled Volunteer Soldiers subject to. *See* National Home for Disabled Volunteer Soldiers.

Artificial limbs, commutation to persons who can not use. *See* Medical Department.

Atchison, Topeka and Santa Fe Railway Company may retain wharf at San Diego, Cal.; conditions; agreement as to disputes; improvements, etc., by the Government; alterations, etc., by railway company not required. Sec. 14, Act of Aug. 8, 1917 (40 Stat. 268).

Atlantic & Pacific Railroad, post route and military road. *See* Transportation Attorneys' fees, claims for pensions. *See* Pensions.

Attorneys, Philippine Islands, Army officers as peace officers and. *See* Philippine Islands.

Attorneys practicing before executive departments forbidden to use names of Members of Congress or officers in advertising their business. Act of Apr. 27, 1916 (39 Stat. 54).

Auditor for War Department, account of Isthmian Canal Commission audited by. *See* Isthmian Canal Commission.

Baldwin Locomotive Works, and certain individuals, authorized to change and divert channel of Crum River, Pa. Act of July 27, 1916 (39 Stat. 393).

New channel to be a public navigable stream, etc. *Id.*

Bayou Meto, Arkansas, declared nonnavigable. Sec. 16, Act of Aug. 8, 1917 (40 Stat. 268).

Bedloes Island, New York Harbor, Secretary of War authorized to accept funds raised by New York World by popular subscription for construction of electric lighting plant for illumination of the Statue of Liberty on. Sec. 5, Act of July 27, 1916 (39 Stat. 411).

Betterton-Morgan Company, Incorporated, may construct dock on tidelands at Seattle, Washington. Sec. 12, Act of Aug. 8, 1917 (40 Stat. 268.)

Board of Managers, National Home for Disabled Volunteer Soldiers, vacancies in membership of not to be filled until such board is reduced to five, etc. *See* National Home for Disabled Volunteer Soldiers.

Board of Road Commissioners, Alaska. *See* Alaska.

Bonds, issues of to meet expenditures for national security and defense. Secs. 1-8, Act of Apr. 24, 1917 (40 Stat. 35-37).

Additional issue authorized, and the borrowing of money, etc. Secs. 1-12, Act of Sept. 24, 1917 (40 Stat. 288-295).

Bridges, dams, etc., over navigable waters. *See* Corps of Engineers.

Bridges, obstruction of navigable waters by, regulations for use of drawbridges, etc. *See* Corps of Engineers.

Building for Government exhibit on Presidio of San Francisco military reservation and use of building after exhibit. *See* Panama-Pacific International Exposition.

California Débris Commission. *See* Corps of Engineers.

California, temporary cession of jurisdiction to State of over portions of Presidio of San Francisco and Fort Mason Military Reservations during occupancy for exposition purposes. *See* Panama-Pacific International Exposition.

California University, transfer of site of Palace of Fine Arts to in exchange for other lands. Act of May 12, 1917 (40 Stat. 57).

Canal Zone:

Automobiles, penalty for operating in violation of regulations for licensing and taxing. Sec. 5, Act of Aug. 21, 1916 (39 Stat. 528).

Breach of the peace, unlawful to commit a. Sec. 4, Act of Aug. 21, 1916 (39 Stat. 528).

Business or trade, penalty for conducting in violation of regulations relative to. Sec. 5, Act of Aug. 21, 1916 (39 Stat. 528).

Civil government of. *See also* Panama Canal.

Consolidation of Zone government, railroad, and canal funds. *See* Panama Canal.

Consular officers of United States in foreign ports, powers of in respect to seamen conferred on shipping commissioner, etc. Sec. 9, Act of Aug. 21, 1916 (39 Stat. 529).

Customs duties on imports from. *See* Panama Canal.

Customs officers, fees of for certificates, etc., or notarial service. Sec. 8, Act of Aug. 21, 1916 (39 Stat. 528).

Deposit money orders, interest on payable from bank interest on money order funds. Sec. 7, Act of Aug. 21, 1916 (39 Stat. 528).

Deposit money orders issued in lieu of postal savings certificates to bear interest. Sec. 6, Act of Aug. 21, 1916 (39 Stat. 528).

Disorderly, indecent, or immoral conduct, unlawful to engage in or permit. Sec. 4, *id.*

Canal Zone—Continued.

Fees of customs officers for certificates or notarial service. Sec. 8, *id.*

Health regulations to be prescribed by President. Sec. 1, Act of Aug. 21, 1916 (39 Stat. 527).

Immigration regulations as to persons entering or passing over. Sec. 10, *id.* 529.

Detention and return of persons entering in violation of regulations. *Id.*

Fine imposed on vessels for violation of regulations. *Id.*

Penalty for violation of regulations. *Id.*

Vessels required to return persons, withholding of clearance, etc. *Id.*

Immoral, indecent, or disorderly conduct, unlawful to engage in or permit. Sec. 4, *id.*, 528.

Injury or obstruction to Panama Canal or locks. Sec. 10, *id.* 529.

Penalty for. *Id.*

Penalty for where act causes death of any person. *Id.*

Interest, deposit money orders issued in lieu of postal savings certificates to bear. Sec. 6, *id.* 528.

Interest on deposit money orders to be paid from bank interest on money order funds. Sec. 7, *id.*

Leases of land in. *See* Isthmian Canal Commission.

Leases of public lands in. *See* Panama Canal.

Naval radio stations on. *See* Panama Canal.

Notarial service, fees of customs officers for performing. Sec. 8, *id.*

Panama Canal or locks, injury to or obstruction of. Sec. 10, *id.* 529.

Penalty for. *Id.*

Penalty for where act causes death of any person. *Id.*

Police power, rules and regulations for asserting and exercising. Sec. 4, *id.* 528.

Police regulations, penalty for violating. Sec. 5, *id.*

Postal savings certificates, deposit money orders issued in lieu of to bear interest. Sec. 6, *id.* 528.

Postal service losses, payable from bank interest on money order funds. Sec. 7, *id.*

Quarantine regulations to be prescribed by President. Sec. 1, *id.* 527.

Penalty for violating. *Id.*

Revenues, distribution of. *See* Panama Canal.

Roads and highways, regulations for use of. Sec. 3, *id.* 528.

Automobile taxes may be graded according to value or power of machine. *Id.*

Licensing and taxing operation of self-propelled vehicles. *Id.*

Republic of Panama, mutual agreement with for reciprocal use of. *Id.*

Speed limit, signals, tags, license fees, etc., for self-propelled vehicles. *Id.*

Vehicles, self-propelled, regulations for operation of. *Id.*

Sanitary regulations to be prescribed by the President. Sec. 1, *id.* 527.

Penalty for violating. *Id.*

Seamen of vessels, powers of consular officers as to when on foreign voyages conferred on shipping commissioner, etc. Sec. 9, *id.* 529.

Shelter, temporary, of troops on. Use of portion of appropriation for acquisition of site and construction of supply depots at Fort Sam Houston, Tex., for providing. Act of Aug. 29, 1916 (39 Stat. 636).

No part of moneys so appropriated to be used for payment of commutation of fuel or quarters to officers or enlisted men. *Id.*

Canal Zone—Continued.

Shipping commissioner and deputy shipping commissioners, powers of United States consuls in foreign ports as to American seamen conferred on. Sec. 9, act of Aug. 21, 1916 (39 Stat. 529).

Taxes, ad valorem, excise, license, and franchise. President to change regulations for levying, assessing, and collecting. Sec. 2, id. 528.

Ad valorem taxes, maximum rate of. Id.

Excise taxes, maximum rate of. Id.

Franchise taxes, maximum rate of. Id.

Taxes, penalty for conducting business, etc., in violation of regulations relative to. Sec. 5, id.

Vehicles, self-propelled, penalty for operation of in violation of regulations for licensing and taxing. Sec. 5, id.

Cape Cod Canal, Massachusetts. *See* Rivers and harbors.

Cession of jurisdiction, temporary, to State of California over portions of Presidio of San Francisco and Fort Mason Military Reservations during occupancy for exposition purposes. *See* Panama-Pacific International Exposition.

Chicago River, Illinois, report of survey of harbor encroachments required. Sec. 11, act of Aug. 8, 1917 (40 Stat. 267).

Chickamauga and Chattanooga National Military Park. *See* National military parks.

Chief of Engineers:

Annual report of. *See* Corps of Engineers.

Draftsmen in office of. *See* Corps of Engineers.

Grant permission to the Women's Titanic Memorial Association to erect a memorial in the public grounds, District of Columbia, to the heroes of the Titanic. Sec. 7, Act of Mar. 3, 1917 (39 Stat. 1046).

Grant permission for removal of statue to Admiral Dupont from Dupont Circle, Washington, D. C., etc. Act of Feb. 26, 1917, Pub. Res. No. 51 (39 Stat. 944).

Index to annual reports of, from 1866 to 1917, inclusive, printing of 1,500 copies authorized. Sec. 4, Act of July 27, 1916 (39 Stat. 411).

Amended to include additional matter. Sec. 10, Act of Aug. 8, 1917 (40 Stat. 267).

Rules and regulations governing enforcement of anchorage grounds in harbors, bays, etc., to be enforced by, at ports or places where no revenue cutter is available, etc. *See* Rivers and harbors.

Transportation of heavy freight on certain reaches of the Mississippi River at all stages of water with certain types of tows and barges, experiments by or by board appointed by Secretary of War. Act of July 27, 1916 (39 Stat. 403).

Chief of Ordnance:

American manufacture, all purchases of supplies for manufacture of arms, ammunition, etc., to be of, unless it is to the manifest interest of Government to purchase limited quantities abroad. Sec. 2, Act of July 6, 1916 (39 Stat. 350).

Appropriation for rental or repair of building for drafting force in office of. Sec. 4, id.

Arsenals, Government, to be operated at their most economical rate of production, except where a special exigency requires the operation of a portion of the arsenal's equipment at a different rate. Sec. 7, id. 351.

Chief or Ordnance—Continued.

Draftsmen, employment of services of skilled and such other services as the Secretary of War may deem necessary, but the number of persons so employed, their duties, and compensation shall be reported to Congress each year with the estimates. Act of May 10, 1916 (39 Stat. 91).

Powder, price to be paid for, other than small-arms. Sec. 5, Act of July 6, 1916 (39 Stat. 350).

Purchase of materials from private manufactures, maximum price to be paid in excess of cost to Government to manufacture; limitation may be waived in case of emergency. Sec. 6, *id.*

Time study, etc., of any job of work not to be made by any officer, manager, superintendent, or foreman. Sec. 7, *id.* 351.

China, grant leave of absence to officer of Corps of Engineers to assist Republic of, in reclamation work. *See* Details of Army officers.

Citizenship:

Children of citizens born abroad. Sec. 1993, R. S., replaced by sec 6, Act of Mar. 2, 1907 (34 Stat. 1229).

Defined. Sec. 1992, R. S.

Expatriation, right of. Sec. 1999, R. S., as amended by sec. 2, Act of Mar. 2, 1907 (34 Stat. 1228).

Married women. Sec. 1994, R. S., as amended by sec. 3, Act of Mar. 2, 1907 (34 Stat. 1228).

Naturalized citizens protected in foreign States. Sec. 2000, R. S.

Oregon, persons born in. Sec. 1995, R. S.

Penalty for false certificate as to. *See* Naturalization.

Pension claims. *See* Pensions.

Release of citizens imprisoned by foreign Governments. Sec. 2001, R. S., as amended by sec. 1, Act of Mar. 2, 1907 (34 Stat. 1228).

Widow and dependent children of declarant. *See* Naturalization.

Civil authorities, Philippine Islands.

Army to aid. *See* Philippine Islands.

Not to interfere with military administration of lands reserved for military purposes. *See* Philippine Islands.

Civil government, Canal Zone. *See* Panama Canal.

Civil government, Porto Rico. *See* Porto Rico.

Civil office, military employees not to hold or exercise duties of United States commissioner. Sec. 20, Act of May 28, 1896 (29 Stat. 184).

Civil service, pension withheld, payment of. *See* Pensions.

Civil service, Philippine Islands, scope and effect of Act, etc. *See* Philippine Islands.

Civil War:

Memorial monument to commemorate the women of the. Contributions by the Government for site and building; commission to approve site and plans and to supervise expenditures; Commission of Fine Arts also to approve plans; memorial to be permanent headquarters of the American Red Cross; and American Red Cross to be charged with and responsible for care, keeping, and maintenance of memorial and grounds, but title to site and building to be in United States. Act of Oct. 22, 1913 (38 Stat. 233).

Military telegraph operators, record and certificate of service to persons who served as. Act of Jan. 26, 1897 (29 Stat. 497).

Militia, crediting for arms and ordnance stores issued during. *See* Militia.

Coaling and naval stations in Cuba. *See* Cuba.

Coal mines, Alaska, United States option on output of certain. *See* Alaska.

Coast and Geodetic Survey:

Detail of Army officers for topographical parts of work. *See* Details of Army officers.

Allowance of subsistence while so detailed. *See* Details of Army officers.

President authorized to employ all persons in land and naval service in connection with work of. *See* Army.

Coastwise vessels:

Exemption from tolls of Panama Canal repealed. *See* Panama Canal.

Philippine Islands, licenses to harbor vessels and. *See* Philippine Islands. Colombia, Republic of, right of way from. *See* Panama Canal.

Colored and Indian soldiers, widows of. *See* Pensions.

Commandeering of plants, etc. *See* Emergency Shipping fund.

Commission of Fine Arts:

Appropriations for expenses of. Act June 25, 1910 (36 Stat. 728); Act Aug. 24, 1912 (37 Stat. 445).

Approve plans for the memorial monument to commemorate the women of the Civil War. Act of Oct. 22, 1913 (38 Stat. 233).

Established; members; appointment; duties; expenses. Act May 17, 1910 (36 Stat. 371).

George Washington memorial building plans to be approved by. Sec. 10, Act Mar. 4, 1913 (37 Stat. 881).

Commissioners of the District of Columbia, appointment of civil commissioners, etc. *See* Corps of Engineers.

Commissioners, United States, military employees not to hold or exercise duties of. *See* Civil office.

Common carriers:

Duties of, with respect to animals in transit. Act June 29, 1906 (34 Stat. 607).

Engaged in interstate and foreign commerce, establishment of an 8-hour day for employees of. Secs. 1-4, Act of Sept. 3-5, 1916 (39 Stat. 721).

Military stores—loss or damage; moneys credited to proper appropriations. Act Mar. 2, 1905 (33 Stat. 840).

Commutation, payment to persons who can not use artificial limbs. *See* Medical Department.

Conduit Road, Chief of Engineers authorized to regulate traffic, etc. *See* Washington Aqueduct under Corps of Engineers.

Confederate dead, marking graves of, in all national cemeteries and cemeteries at Federal military stations or locations throughout the country. *See* Marking graves of Confederate dead.

Confederate Veterans. *See* United Confederate Veterans.

Confederate Veterans' Association reunion, District of Columbia, 1917. Appropriation for, loans to, etc. Secs. 1-6, Feb. 26, 1917. Pub. Res. 50 (39 Stat. 942).

Congress, use of names of Members of, by attorneys practicing before executive departments. Act of Apr. 27, 1916 (39 Stat. 54).

Contracts and purchases. *See* Corps of Engineers.

Corps of Engineers:

Alabama, certain rivers in, free from tolls. Sec. 5244, R. S.

Annual report, Chief of Engineers. Sec. 8, Act of Aug. 11, 1888 (25 Stat. 400).

Aqueduct Bridge, regulations for use of. Act of Mar. 3, 1875 (18 Stat. 393).

Corps of Engineers—Continued.

Aqueduct Bridge, Secretary of War authorized to replace existing structure with new bridge. Sec. 1, Act of May 18, 1916 (39 Stat. 163).

Cost of construction, how apportioned. Sec. 6, *id.* 164.

Engineers and others may be employed in construction of. Sec. 3, *id.* 163.

Highway for traffic, and use for gas and water mains, power, telephone and telegraph wires, etc. Sec. 5, *id.* 164.

Land necessary for, to be acquired by condemnation proceedings. Sec. 2, *id.* 163.

Plans, appropriation for, and restrictions as to, etc. Sec. 4, *id.*

Repairs may be made to old bridge while new is under construction. Sec. 7, *id.* 164.

Washington & Old Dominion Railway, conditions and terms on which it is granted use of the bridge. Sec. 5, *id.*

Bayou Meto, Arkansas, declared nonnavigable. Sec. 16, Act of Aug. 8, 1917 (40 Stat. 268).

Bridges, dams, etc., over navigable waters. Sec. 9, Act of Mar. 3, 1899 (30 Stat. 1150).

California Débris-Commission—

Annual report. Sec. 7, Act of Mar. 1, 1893 (27 Stat. 508).

Appropriations by State, receipt and use of. Act of July 1, 1898 (30 Stat. 631).

Compensation of employees of. Sec. 4, Act of Mar. 3, 1899 (30 Stat. 1150).

Conditions as to commencing operations. Sec. 15, Act of Mar. 1, 1893 (27 Stat. 509).

Conditions, violation of, forfeiture. Sec. 19, Act of Mar. 1, 1893 (27 Stat. 510).

Creation of, appointments to. Sec. 1, Act of Mar. 1, 1893 (27 Stat. 507).

Débris fund—

Appropriations from, restraining works. Sec. 25, Act of Mar. 1, 1893 (27 Stat. 511).

Created, expenditures by commission. Sec. 23, Act of Mar. 1, 1893 (27 Stat. 510).

Débris washed away, limit of. Sec. 17, Act of Mar. 1, 1893 (27 Stat. 509).

Decisions of, within 30 days. Sec. 13, Act of Mar. 1, 1893 (27 Stat. 508).

Dumping ground—

Expenses for constructing, allotment of. Sec. 16, Act of Mar. 1, 1893 (27 Stat. 509).

Petition for, contents, etc. Secs. 10 and 11, Act of Mar. 1, 1893 (27 Stat. 508).

Duties, plans. Sec. 4, Act of Mar. 1, 1893 (27 Stat. 507).

Employees, compensation, appointment. Sec. 4, Act of Mar. 3, 1899 (30 Stat. 1150).

Floods in Sacramento River, jurisdiction over State funds for control of. Pars. a-c, Sec. 2, Act of Mar. 1, 1917 (39 Stat. 949).

Funds appropriated by State, United States Treasurer to receive. Act of June 3, 1896 (29 Stat. 232).

Corps of Engineers—Continued.

California Débris Commission—Continued.

Hydraulic mines—

Petition must be filed with commission. Sec. 23, Act of Mar. 1, 1893 (27 Stat. 510).

Tax on gross proceeds. Sec. 23, Act of Mar. 1, 1893 (27 Stat. 510).

Hydraulic mining—

"Mining by hydraulic process" and defined. Sec. 8, Act of Mar. 1, 1893 (27 Stat. 508).

Navigable waters, injuring, penalty. Sec. 22, Act of Mar. 1, 1893 (27 Stat. 510).

Injury to works, penalty. Sec. 22, Act of Mar. 1, 1893 (27 Stat. 510).

Jurisdiction. Sec. 3, Act of Mar. 1, 1893 (27 Stat. 507).

Labor, hired, work may be done by. Act of Mar. 3, 1899 (30 Stat. 1148).

Mines—

Plans of, supervision, etc. Sec. 14, Act of Mar. 1, 1893 (27 Stat. 509).

Petition, notice of, to be published. Sec. 12, Act of Mar. 1, 1893 (27 Stat. 508).

Visiting, inspection. Sec. 20, Act of Mar. 1, 1893 (27 Stat. 510).

Navigable channels, noting condition of. Sec. 6, Act of Mar. 1, 1893 (27 Stat. 508).

Orders, modifications, etc. Sec. 18, Act of Mar. 1, 1893 (27 Stat. 509).

Public lands and material, use of. Sec. 21, Act of Mar. 1, 1893 (27 Stat. 510).

Recommendations of, appropriations. Sec. 25, Act of Mar. 1, 1893 (27 Stat. 511).

Sacramento River, control of floods in. Pars. a-c, sec. 2, Act of Mar. 1, 1917 (39 Stat. 949).

Sites, storage, for débris, etc., survey of. Sec. 5, Act of Mar. 1, 1893 (27 Stat. 507).

State commissioner of engineers, commission may consult with. Sec. 24, Act of Mar. 1, 1893 (27 Stat. 511).

Works, State to pay contractor one-half cost. Act of Mar. 3, 1899 (30 Stat. 1148).

Canals—

Operation of, tolls, etc. Sec. 4, Act of July 5, 1884 (23 Stat. 147).

Regulations for navigation of, to be posted. Sec. 4, Act of Aug. 17, 1894 (28 Stat. 362).

Cape Cod Canal, Massachusetts, purchase or condemnation authorized; joint action of Secretaries of War, Navy, and Commerce. Sec. 4, Act of Aug. 8, 1917 (40 Stat. 262).

Chicago River, Illinois, report of survey of harbor encroachments required. Sec. 11, id., 267.

Cinore River, Mo., not navigable. Act of Mar. 23, 1900 (31 Stat. 50).

Civil engineers—

Employment of. Sec. 5253, R. S.

Names of, employed to be reported to Congress. Sec. 8, Act of Aug. 5, 1886.

Number, duties, and compensation to be reported yearly to Congress with the annual estimates. Act of May 10, 1916 (39 Stat. 92).

Corps of Engineers—Continued.

Commissioners of the District of Columbia—

Appointment of civil commissioners. Sec. 2, Act of June 11, 1878 (20 Stat. 103).

Engineer commissioner—

Assistants (three) authorized. Act of Aug. 7, 1894 (26 Stat. 246).

Authorization of. Act of June 11, 1878 (20 Stat. 103).

Compensation. Act of Mar. 3, 1881 (21 Stat. 460).

Qualifications, etc. Joint res. 7, Dec. 24, 1890 (26 Stat. 1113).

Estimates of. Act of June 11, 1878 (20 Stat. 104).

Powers, limitation. Act of June 10, 1879 (21 Stat. 9).

Salary. Sec. 2, act of June 11, 1878 (20 Stat. 103).

Wharf property, control of. Act of Mar. 3, 1899 (30 Stat. 1377).

Consolidated items of river and harbor work with aggregate amount appropriated therefor, allotments to respective works, and disposition of balances remaining to credit of separate works or items, etc. Sec. 3, Act of Mar. 4, 1915 (38 Stat. 1052).

Contracts and purchases—

Application of appropriations. Sec. 3, Act of Aug. 11, 1888 (25 Stat. 423).

Lands, condemnation and purchase of. Act of Apr. 24, 1888 (25 Stat. 94).

Contracts for forage, Navasota Transfer Company relieved from. Act of May 12, 1917 (40 Stat. 75).

Contract work authorized. Sec. 3, Act of Aug. 8, 1917 (40 Stat. 261).

Des Moines River, free from tolls. Sec. 5246, R. S.

Donation of funds to be expended with public funds for improvement of rivers and harbors, Secretary of War authorized to receive from private parties. Sec. 4, Act of Mar. 4, 1915 (38 Stat. 1053).

Draftsmen, etc., in office Chief of Engineers. Act of May 28, 1896 (29 Stat. 163).

Draftsmen, skilled, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers, but the number so employed, their duties and compensation, shall be reported to Congress each year with the annual estimates. Act of May 10, 1916 (39 Stat. 92).

Dredging, restriction on. Sec. 5, Act of July 13, 1892 (27 Stat. 111).

Establish anchorage grounds in all harbors, rivers, bays, and other navigable waters, Secretary of War authorized to define and. Sec. 7, Act of Mar. 4, 1915 (38 Stat. 1053).

Rules and regulations governing, to be enforced by the Chief of Engineers at ports or places where no revenue cutter is available, etc. Sec. 7, Act of Mar. 4, 1915 (38 Stat. 1053).

Executive Mansion—

Furniture for. Sec. 1829, R. S.

Inventory of property in. Act of Apr. 17, 1900 (31 Stat. 97).

Fishways, authority for construction of. Sec. 11, Act of Aug. 11, 1888 (25 Stat. 425).

Fortifications, injuries to mines, torpedoes, etc. Act of July 7, 1898 (30 Stat. 717).

Funds contributed in excess of actual cost of work may be returned to representatives of contributing interests upon approval of Secretary of War, etc. Sec. 4, Act of Mar. 4, 1915 (38 Stat. 1053).

Corps of Engineers—Continued.

Grant leave of absence to officer of, to assist Republic of China in reclamation work. *See* Details of Army officers.

Harbor lines—

Establishment of, by Secretary of War. Sec. 11, Act of Mar. 3, 1899 (30 Stat. 1151).

Extensions, permits for. Sec. 11, Act of Mar. 3, 1899 (30 Stat. 1151).

Harbor regulations for the District of Columbia—

Deposits on shores of Potomac River prohibited. Act of May 19, 1896 (26 Stat. 126).

Deposits in Potomac River, unlawful, forbidden. Sec. 2, Act of May 19, 1896 (29 Stat. 126).

Establishment of harbor lines. Sec. 3, Act of Mar. 3, 1899 (30 Stat. 1378).

Limitation of. Sec. 4, Act of May 19, 1896 (29 Stat. 126).

Violation of, penalty. Sec. 3, Act of May 19, 1896 (29 Stat. 126).

Index to annual reports of Chief of Engineers from 1866 to 1917, inclusive, printing of 1,500 copies authorized. Sec. 4, Act of July 27, 1916 (39 Stat. 411).

Amended to include additional matter. Sec. 10, Act of Aug. 8, 1917 (40 Stat. 267).

Injury to public works (*see* subhead Public works).

Iowa River, portion declared not navigable. Sec. 5248, R. S.

Isthmian Canal Commission—

Duties. Sec. 3, act of Mar. 3, 1899 (30 Stat. 1150).

Funds for support of. Sec. 5, Act of Mar. 3, 1899 (30 Stat. 1150).

Investigations, report of. Sec. 6, Act of Mar. 3, 1899 (30 Stat. 1150).

Lighthouses—

Contracts for erection of. Acts of Aug. 31, 1852 (10 Stat. 120); Mar. 2, 1867 (14 Stat. 452).

Inspectors. Sec. 4671, R. S.

Superintendent of construction, etc. Sec. 4664, R. S.

Lighthouse Board—

Compensation of officers on. Sec. 4679, R. S.

Members not to be interested in contracts. Sec. 4680, R. S.

Organization. Sec. 4653, R. S.

Louisiana, navigable rivers in, public highways. Sec. 5251, R. S.

Maquoketa River, construction of bridges across. Sec. 5250, R. S.

Minnesota and North and South Dakotas, consent of Congress to improvement of boundary waters by. Sec. 5, Act of Aug. 8, 1917 (40 Stat. 266).

Missouri River Commission—

Creation; composition; duties. Act of July 5, 1884 (23 Stat. 144).

Expenditure of appropriations, supervision of. Act of July 5, 1884 (23 Stat. 144).

Mississippi River. (*See also* Mississippi River.)

Chief of Engineers or board appointed by Secretary of War to experiment with transportation of heavy freight on certain reaches of, with certain type of tows and barges at all stages of water. Act of July 27, 1916 (39 Stat. 403).

Control of floods in. Pars. a-d, sec. 1, Act of Mar. 1, 1917 (39 Stat. 948).

Material for improvements, how obtained. Sec. 6, Act of July 5, 1884 (23 Stat. 148).

Corps of Engineers—Continued.

Mississippi River—Continued.

Piers and cribs. Sec. 5254, R. S., as amended by Act of May 1, 1882 (22 Stat. 52).

Snagboats, operation of, on upper Mississippi. Sec. 7, Act of Aug. 11, 1888 (25 Stat. 424).

South Pass—

Location and extent of regulations for navigation of. Sec. 5, Act of Aug. 11, 1888 (25 Stat. 424); sec. 3, Act of Sept. 19, 1890 (26 Stat. 452).

Surveys, appropriations for, made permanent. Sec. 4, Act of Aug. 11, 1888 (25 Stat. 424).

Water gauges on, and tributaries. Sec. 5252, R. S.

Mississippi River Commission—

Creation, composition. Act of June 28, 1879 (21 Stat. 37).

Duties, report. Secs. 3, 4, and 5, Act of Feb. 18, 1901 (31 Stat. 792).

Headquarters, location general office. Act of Feb. 18, 1901 (31 Stat. 792).

Mississippi River and certain of its tributaries placed under jurisdiction of. Act of July 27, 1916 (39 Stat. 402).

Ohio River improvement, as to locks and dams, etc., excepted from jurisdiction of. *Id.*

Salary of civilian members fixed at \$5,000, Sec. 4, Act of Mar. 1, 1917 (39 Stat. 951).

Secretary, detail of Engineer officer as. Act of Feb. 18, 1901 (31 Stat. 792).

Mosquito Creek, South Carolina, declared nonnavigable. Sec. 15, Act of Aug. 8, 1917 (40 Stat. 268).

Muskingum River, Ohio, relief of lessees on whose property was destroyed by Ohio Valley flood of March, 1913. Act of Aug. 1, 1914 (38 Stat. 637).

Navigable waters of the United States. (*See also* Navigable waters, Rivers and harbors.)

Alabama, certain rivers in, free of tolls. Sec. 5244, R. S.

Cincore River, Mo., not navigable. Act of Mar. 23, 1900 (31 Stat. 50).

Crum River, Pa., Baldwin Locomotive Works, and certain individuals, authorized to change and divert channel of, etc. Act of July 27, 1916 (39 Stat. 393).

New channel to be public navigable stream, etc. *Id.*

Deposits in. Sec. 13, Act of Mar. 3, 1899 (30 Stat. 1152).

Des Moines River, free from tolls. Sec. 5246, R. S.

Drawbridges, regulations for use of. Sec. 5, Act of Aug. 17, 1894 (28 Stat. 362).

Government pier in Delaware Bay near Lewes, Delaware, to be open to public under regulations to be prescribed by Secretary of War. Act of July 27, 1916 (39 Stat. 394).

Repeal of provision authorizing transfer of, to Treasury Department. *Id.*

Iowa River, not navigable. Sec. 5248, R. S.

"Kyle and Young Canal" and the "Morrison Landing extension" of the same, on the Oklawaha River, Fla., acceptance by Secretary of War of title to land and navigation improvement of. Act of July 27, 1916 (39 Stat. 396).

Canal and extension to become public waterway of United States. *Id.*

Corps of Engineers—Continued.

Navigable waters of the United States—Continued.

Louisiana, navigable rivers in; public highways. Sec. 5251, R. S.

Maquoketa River, construction of bridges across. Sec. 5250, R. S.

Obstruction of, by bridges, etc. Sec. 18, Act of Mar. 3, 1899 (30 Stat. 1153).

Public works, unauthorized use of. Sec. 14, Act of Mar. 3, 1899 (30 Stat. 1152).

Within public lands to be public highways. Sec. 2476, R. S.

Navigation, obstructions to—

Drawbridges, regulations for operation of. Sec. 5, Act of Aug. 17, 1894 (28 Stat. 362).

Floating logs, rafts, etc., regulations for. Sec. 2, Act of May 9, 1900 (31 Stat. 172).

Penal clauses—

Anchoring vessels, etc. Sec. 15, Act of Mar. 3, 1899 (30 Stat. 1152).

Dumping refuse, etc. Sec. 16, Act of Mar. 3, 1899 (30 Stat. 1152).

Enforcement of, Department of Justice to conduct proceedings. Sec. 17, Act of Mar. 3, 1899 (30 Stat. 1153).

Miscellaneous obstructions. Sec. 12, Act of Mar. 3, 1899 (30 Stat. 1151).

Prohibited. Sec. 10, Act of Mar. 3, 1899 (30 Stat. 1151).

Sunken vessels. Sec. 19, Act of Mar. 3, 1899 (30 Stat. 1154).

Wrecks, removal of, appropriation. Sec. 20, Act of Mar. 3, 1899 (30 Stat. 1154).

New York Harbor—

Boats to carry name, etc., painted. Sec. 3, Act of Aug. 18, 1894 (28 Stat. 360).

Bribing inspector or other officer, penalty. Sec. 3, Act of Aug. 18, 1894 (28 Stat. 360).

Dredged matter, disposal of. Sec. 4, Act of June 29, 1888 (25 Stat. 210).

Dumping—

At unauthorized places, penalty. Sec. 3, Act of June 29, 1888 (25 Stat. 209), as amended by sec. 3, Act of Aug. 18, 1894 (28 Stat. 360).

Deposits, injurious, forbidden; penalty. Sec. 3, Act of Aug. 5, 1886 (24 Stat. 329); Sec. 1, Act of June 29, 1888 (25 Stat. 209).

Permits for, return of, penalty. Sec. 3, Act of Aug. 18, 1894 (28 Stat. 360).

Supervisor to designate place of, permits. Sec. 3, Act of June 29, 1888 (25 Stat. 209); as amended by Sec. 3, Act of Aug. 18, 1894 (28 Stat. 360).

Fishing in ship channels forbidden, penalty. Sec. 2, Act of Aug. 17, 1894 (28 Stat. 360).

Inspectors, duties, arrests, procedure, etc. Sec. 3, Act of Aug. 18, 1894 (28 Stat. 360).

Supervisor, appointment, duties. Sec. 5, Act of June 29, 1888 (25 Stat. 210).

Violation of act relating to—

Punishment of officer of boat. Sec. 2, Act of June 29, 1888 (25 Stat. 209).

Proceedings, arrests, process. Sec. 2, Act of Aug. 17, 1894 (28 Stat. 360).

Corps of Engineers—Continued.

Obstructions to navigation. *See* Navigation, obstructions to (under Corps of Engineers).

Potomac Park—

Acquisition of lands required for connecting parkway between Potomac Park, Zoological Park, and Rock Creek Park; limitation as to total area to be acquired; to form part of park system of District of Columbia, etc. Act of July 1, 1916 (39 Stat. 282).

Ailanthus trees, purchase of. Sec. 1830, R. S.

Bank of the Potomac, control of. Act of Mar. 3, 1899 (30 Stat. 1106).

Canal spaces added to park system, etc. Act of Aug. 1, 1914 (38 Stat. 633).

Made part of park system. Act of Aug. 1, 1914 (38 Stat. 634).

Permits by Secretary of War to occupy reservations, etc., in connection with forty-ninth encampment of the G. A. R. *See* Grand Army of the Republic.

Playground for children. Act of Aug. 30, 1890 (26 Stat. 371).

Regulations for control of. Sec. 2, Act of Mar. 3, 1899 (30 Stat. 1106).

Restrictions on lagoons or speedways in. Act of Aug. 1, 1914 (38 Stat. 634).

Trees, plants, etc., to be propagated. Act of June 20, 1878 (20 Stat. 220).

Watchmen to have police power. Act of Aug. 5, 1882 (22 Stat. 257).

Proceedings to secure title to lands to be given for improvements by State authorities, etc., reimbursement of expenses. Sec. 9, Act of Aug. 8, 1917 (40 Stat. 267).

Public buildings and grounds:

Chief of Engineers to have charge of. Sec. 1797, R. S.

Employees. Sec. 1799, R. S.; Act of Jan. 20, 1874 (18 Stat. 4).

Estimates and appropriations for. Sec. 1798, R. S.

Reports of Superintendent of. Sec. 1812, R. S.

Public works, unauthorized use of. Sec. 14, Act of Mar. 3, 1899 (30 Stat. 1152).

Public works, injury to, amendment of act, civil actions not affected. Secs. 3 and 4, Act of May 9, 1900 (31 Stat. 172).

Regulation of use of harbors, etc., by Secretary of War. Sec. 7, Act of Aug. 8, 1917 (40 Stat. 266), amending sec. 4, Act of Aug. 18, 1894 (28 Stat. 362), as amended by sec. 11, Act of June 13, 1902 (32 Stat. 374).

Rentals for use of Government plants in improvement of rivers and harbors, disposition of. Sec. 13, Act of Aug. 8, 1917 (40 Stat. 269).

Report, annual, Chief of Engineers. Sec. 8, Act of Aug. 11, 1888 (25 Stat. 400).

Restrictions on private contract work for improvement of rivers and harbors. Sec. 6, Act of Aug. 8, 1917 (40 Stat. 266).

River and harbor works. (*See also* Rivers and harbors.)

Preliminary surveys, estimates, reports. Act of Aug. 2, 1882 (22 Stat. 213).

Reports of deterioration. Sec. 7, Act of Mar. 3, 1899 (30 Stat. 1150.)

Statistics, commercial, to be supplied superintendents. Act of Feb. 21, 1891 (26 Stat. 766).

Saint Marys River, Ohio and Indiana, declared nonnavigable. Sec. 17, Act of Aug. 8, 1917 (40 Stat. 263).

Corps of Engineers—Continued.

San Diego, California, Atchison, Topeka & Santa Fe Railway Company may retain wharf at; conditions; agreement as to disputes; improvement, etc., by the Government; alterations, etc., by railway company not required. Sec. 14, Act of Aug. 8, 1917 (40 Stat. 269).

Seattle, Washington, Betterman-Morgan Co., Incorporated, may erect dock on tide lands of. Sec. 12, Act of Aug. 8, 1917 (40 Stat. 267).

Secretary of War authorized to appoint a board of three officers from, to examine and appraise the value of the work and franchises of the East Coast Canal from the St. Johns River to Key West, Fla., with reference to purchasing the canal and the construction by the Government of a free and open waterway, etc. Sec. 15, Act of Mar. 4, 1915 (38 Stat. 1058.)

South Pass, Mississippi River; regulations for navigation of. Sec. 5, Act of Aug. 11, 1888 (25 Stat. 424); sec. 3, Act of Sept. 19, 1890 (26 Stat. 452). Supply depot for, acquisition of land at Fort Sam Houston, Texas, and construction of. Act of Aug. 29, 1916 (39 Stat. 636).

Surveys, restriction on, etc. Sec. 2, Act of Mar. 3, 1899 (30 Stat. 1149). Surveys, specific authority required for, etc. Sec. 4, Act of Aug. 8, 1917 (40 Stat. 261).

Washington Aqueduct:

Appropriations for, how expended. Sec. 1802, R. S.

Chief of Engineers—

Decisions of; right of appeal to Secretary of War. Sec. 1811, R. S. to Enforce traffic regulations for the protection of, including the Filtration Plant and its accessories, and the Conduit Road. Act of Sept. 1, 1916 (39 Stat. 693).

Conduit Road, speed limit over, within District of Columbia, and within Maryland. Id.

Prosecution in the police courts of the District for violation of the regulation within the District of Columbia. Id.

Prosecutions before United States Commissioner for violation of the regulations within the State of Maryland. Id.

to Have charge of. Sec. 1800, R. S.

to Receive no extra compensation. Sec. 1807, R. S.

to Regulate water supply. Sec. 1810, R. S.

Reports of, as superintendent of Washington Aqueduct. Sec. 1812, R. S.

to be Supplied, stationery, etc. Sec. 1808, R. S.

Miscellaneous provisions:

Diversion of water prohibited. Act of Mar. 3, 1893 (27 Stat. 544).

Maliciously making water impure. Sec. 1806, R. S.

Pipes for use of public buildings. Sec. 1805, R. S.

Superintendence and control of, including its rights, appurtenances, and fixtures, to remain under the Secretary of War. Act of Sept. 1, 1916 (29 Stat. 713).

Unauthorized opening of pipes; penalty. Sec. 1803, R. S.

Use of water in public buildings. Act of Mar. 3, 1883 (22 Stat. 615).

Willful breaking of pipes; penalty. Sec. 1804, R. S.

Record of property to be kept. Sec. 1809, R. S.

Regulations may be prescribed by president. Sec. 1801, R. S.

Corps of Engineers—Continued.

Washington Aqueduct—Continued.

Superintendent:

Lands about reservoir under control of. Act of Mar. 3, 1875 (13 Stat. 393).

Reports of. Sec. 1812, R. S.

Washington Monument—

Advertisement or sale of articles in or around prohibited except on written authority of Secretary of War. Acts of Feb. 9 and Mar. 4, 1909 (35 Stat. 615 and 997).

Care and maintenance. Act of Oct. 2, 1888 (25 Stat. 533).

Employees; extra pay prohibited. Sec. 1835, R. S.

Joint commission dissolved. Act of Oct. 2, 1888 (25 Stat. 533).

Washington National Monument Society continued. Act of Oct. 2, 1888 (25 Stat. 533).

Waterways Commission—

Appropriation for expenses of. Sec. 18, Act of Aug. 8, 1917 (40 Stat. 269).

Authority for expenditures. Id.

Compensation of commission. Id.

Composition of. Id.

Consideration of rights, etc., of United States, States, etc., respecting proposed projects. Id.

Engineers, technical experts, etc., to be employed. Id.

Report of plans to Congress. Id.

River and harbor projects not interfered with, etc. Id., 270.

Subjects for study, etc., designated. Id., 269.

Costa Rica, concessions from. *See* Panama Canal.

Courts-martial:

Accused may testify before. *See* Military tribunals.

Closed sessions at trials before. *See* Military tribunals.

Reporters, employment of. *See* Military tribunals.

Punishment of spies. *See* Military tribunals.

Witnesses, attendance of, refusal to testify. *See* Military tribunals.

Crum River, Pa., Baldwin Locomotive Works, and certain individuals, authorized to change and divert channel of, etc. Act of July 27, 1916 (39 Stat. 393).

New channel to be a public navigable stream, etc. Id.

Cuba:

Commercial treaty with, not affected by customs act. Sec. 3, Act of Aug. 5, 1909 (36 Stat. 83).

Concessions not to be granted by United States, during occupation. Act of Mar. 3, 1899 (30 Stat. 1074).

Cuban vessels in United States ports, rights of. Act of Feb. 10, 1900 (31 Stat. 27).

Establishment of commission to adjudicate claims against Spain. Act of Mar. 2, 1901 (31 Stat. 877).

Imports from, reduction in duties on. Act of Dec. 17, 1903 (33 Stat. 3).

Independence of, recognized. J. Res. No. 24, Apr. 20, 1898 (30 Stat. 738).

Intervention by United States, authorized. Act of Mar. 2, 1901 (31 Stat. 895).

Isle of Pines, title to. Act of Mar. 2, 1901 (31 Stat. 895).

Public debt of, restrictions on. Act of Mar. 2, 1901 (31 Stat. 895).

Ratification of acts of United States during occupancy. Act of Mar. 2, 1901 (31 Stat. 895).

Cuba—Continued.

- Relinquishment of control of, by United States. Act of Mar. 2, 1901 (31 Stat. 895).
- Sales of rifles and ordnance to, permitted. Act of Mar. 23, 1910 (36 Stat. 261).
- Sanitation. Act of Mar. 2, 1901 (31 Stat. 895).
- Stations, coaling and naval, of United States. Act of Mar. 2, 1901 (31 Stat. 895).
- Treaties of, restrictions on. Act of Mar. 2, 1901 (31 Stat. 895).
- Treaty with United States to embody certain provisions. Act of Mar. 2, 1901 (31 Stat. 895).
- Customs duties, imports from Canal Zone. *See* Panama Canal.
- Dams, bridges, etc., over or across navigable waters. *See* Corps of Engineers.
- Danish West Indian Islands, temporary government for. Secs. 1-8, Act of Mar. 3, 1917 (39 Stat. 1132).
- Daughters of the American Revolution, exemption of property owned by, in District of Columbia from taxation. Act of Aug. 15, 1916 (39 Stat. 514).
- Exemption of rectory, parsonage, or other pastoral residence from. *Id.* 515.
- Débris Commission, California. *See* Corps of Engineers.
- Delaware Bay, Del., Government pier in, near Lewes, to be open to public under regulations to be prescribed by Secretary of War. Act of July 27, 1916 (39 Stat. 394).
- Repeal of provision authorizing transfer of, to the Treasury Department. *Id.*

Department of the Interior:

- Establishment of. Sec. 437, R. S.
- General powers and duties of the Secretary. Sec. 441, R. S.
- Powers and duties of Secretary in relation to Territories. Sec. 442, R. S.
- Details of Army officers (*see also* Army officers):
- Accept position under Government of Greater Republic of Central America. J. Res. No. 23, Mar. 3, 1897 (29 Stat. 704).
- Active or retired, with Panama-California Exposition, San Diego, Cal. J. Res. No. 4, of Jan. 15, 1915 (38 Stat. 1221).
- Active or retired, with the Panama-Pacific International Exposition. Act of Mar. 4, 1915 (38 Stat. 1065).
- Alaskan railroads. Lieut. Frederick Mears to assist in location and construction of. J. Res. No. 17, May 13, 1914 (38 Stat. 772).
- Coast and Geodetic Survey work, topographical parts of. Sec. 4684, R. S.
- Allowance of subsistence while so detailed. Sec. 4688, R. S.
- Engineer officers to assist Mississippi River Commission. Secs. 3 and 6, act of June 28, 1879 (21 Stat. 38).
- Engineer officers to assist Missouri River Commission. Act of July 5, 1884 (23 Stat. 144).
- Engineer officers to superintend construction of lighthouses. Sec. 4664, R. S.
- Governor of the West Indian Islands. Sec. 1, act of Mar. 3, 1917 (39 Stat. 113).
- Grant leave of absence to officer of Corps of Engineers to assist Republic of China on reclamation work of the Huai River; termination of detail, pay during absence, etc. J. Res. No. 18, May 22, 1914 (38 Stat. 772).
- Indian education. Sec. 7, act of June 23, 1879 (21 Stat. 35).
- Indian industrial and training school. Act of July 31, 1882 (22 Stat. 181).
- Medical officer with Red Cross. Act of Mar. 3, 1911 (36 Stat. 1041).
- Ordnance officers for Geological Survey. Act of June 16, 1880 (21 Stat. 274).

Details of Army Officers (*see also* Army officers)—Continued.

Panama-Pacific International Exposition, prohibition against details to other service not applicable to, allowances for in lieu of transportation and mileage, etc. Act of June 23, 1913 (38 Stat. 76).

Details of officers and enlisted men of Navy and Marine Corps to serve under the Government of the Republic of Haiti. Secs. 1-5, act of June 12, 1916 (39 Stat. 223).

Discharge, Army officers accountable for public property to obtain certificates of nonindebtedness before. *See* Public property.

District of Columbia (*see also* this title under Corps of Engineers):

Anacostia River and Flats—

Acquisition of additional land in connection with reclamation and development of. Act of Mar. 3, 1917 (39 Stat. 1040).

Adjustment of boundaries and exchange of lands with the Philadelphia, Baltimore and Washington Railroad. Act of Mar. 3, 1917 (39 Stat. 1041).

Appointment of commissioners, estimates, etc. *See* Corps of Engineers.

Aqueduct Bridge, new. *See* Aqueduct Bridge under Corps of Engineers.

Authority to the American Society of Civil Engineers to erect a memorial fountain to Alfred Noble in public grounds of. J. Res. of May 8, 1916 (39 Stat. 65).

Burial of ex-Union soldiers in Arlington or other cemeteries in. *See* National cemeteries.

Filled canal spaces in added to park system. *See* Corps of Engineers.

Harbor regulations for. *See* Corps of Engineers.

Juvenile Court, record of conviction against any child is not a disqualification for jury duty, for holding office, or for any other public service under the Federal or District Governments. Act of Apr. 27, 1916 (39 Stat. 56).

Persons convicted of crimes in courts of and sentenced to confinement for more than one year may be confined in the District reformatory instead of a penitentiary, etc. Act of Sept. 1, 1916 (39 Stat. 711).

Playground for children, regulations for control of, etc. *See* Corps of Engineers.

Potomac Park, made part of the park system. *See* Corps of Engineers.

Acquisition of lands required for connecting parkway between Potomac Park, Zoological Park, and Rock Creek Park; limitation as to total area to be acquired; to form part of park system of District of Columbia, etc. Act of July 1, 1916 (39 Stat. 282).

Public grounds, Women's Titanic Memorial Association to erect memorial in to heroes of steamship *Titanic*. Sec. 7, Act of Mar. 3, 1917 (39 Stat. 1046).

Restrictions on lagoons or speedways in. *See* Corps of Engineers.

Reformatory of, persons convicted in District courts and sentenced to confinement for more than one year may serve sentence in instead of in a penitentiary, etc. Act of Sept. 1, 1916 (39 Stat. 711).

Statue to Admiral Dupont in Dupont Circle, Chief of Engineers may grant permission for removal of, etc. Act of Feb. 26, 1917 (Pub. Res. No. 51, 39 Stat. 944).

Subsistence allowances to persons traveling on official business outside of. Sec. 13, Act of Aug. 1, 1914 (38 Stat. 680).

Transfer of prisoners heretofore convicted in District courts to serve remainder of term of confinement in. Act of Sept. 1, 1916 (39 Stat. 711).

Wharf property, control of. *See* Corps of Engineers.

District of Columbia Militia:

Authority to make contracts. *See Militia.*

Deduction of pay to reimburse for loss of public property, etc. *See Militia.*

Purchase of supplies, etc. *See Militia.*

District of Columbia Naval Militia, authorization of, etc. *See Militia.*

Donation of funds:

Contributed to be expended with public funds for improvement of rivers and harbors; Secretary of War authorized to receive from private parties. *See Rivers and harbors.*

Funds contributed in excess of actual cost of work may be returned to representatives of contributing interests upon approval of Secretary of War, etc. *See Rivers and harbors.*

Dowsett Co. (Ltd.) given permission, within a time limit, to remove certain buildings from Schofield Barracks Military Reservation, Territory of Hawaii, Act of Aug. 29, 1916 (39 Stat. 636).

Draftsmen in office of the Chief of Engineers. *See Corps of Engineers.*

Drugs. *See Narcotics.*

Dupont Circle, Washington, D. C., Chief of Engineers may permit removal of statue of Admiral Du Pont from. Act of Feb. 26, 1917 (Pub. Res. No. 51, 39 Stat. 944).

East Coast Canal; Secretary of War authorized to appoint a board of three officers from the Corps of Engineers to examine and appraise the value of the work and franchises of the canal from the St. Johns River to Key West, Fla., with reference to its purchase by the Government and the construction of a free and open waterway, etc. Sec. 15, Act of Mar. 4, 1915 (38 Stat. 1058).

Eight-hour day, establishment of for employees of carriers engaged in interstate and foreign commerce. Secs. 1-4, Act of Sept. 3-5, 1916 (39 Stat. 721).

Emergency shipping fund, requisitioning of plants, etc. Act of June 15, 1917 (40 Stat. 182).

Employees, Government Printing Office, not to be detailed in other branches of service. *See Printing and binding.*

Employment of military force:

Remove and destroy unlawful inclosures of public lands. Sec. 5, Act of Feb. 25 1885 (23 Stat. 322).

Timber, felling; unlawful inclosures. Sec. 2460, R. S.

Trespassers, removal. Sec. 1, Act of Mar. 3, 1897 (2 Stat. 445).

Trespass or intrusion in General Grant National Park, Sequoia National Park, or Yosemite National Park for purpose of destroying the game or objects of curiosity therein. Act of June 6, 1900 (31 Stat. 618).

Treason. Secs. 1, 2, 3, 4, 5, 6, 7, and 8, Act of Mar. 4, 1909 (35 Stat. 1088).

Engineer Corps. *See Corps of Engineers.*

Engineer officers, detail of to assist Mississippi and Missouri River Commissions, etc. *See Details of Army officers.*

Enlisted men, President authorized to employ all persons in land and naval service in connection with Coast and Geodetic Survey work. *See Army.*

Enlistments, foreign governments, ministers of United States may issue writs to prevent American citizens from entering military service. *See Neutrality.*

Estimates:

National Homes for Disabled Volunteer Soldiers. *See National Homes for Disabled Volunteer Soldiers.*

Panama Canal, Canal Zone, etc., to be submitted. *See Panama Canal.*

Europe:

Relief, protection, and transportation of American citizens in, made necessary by existing political disturbances, etc. Joint Res. No. 30, Aug. 3, 1914 (38 Stat. 776).

Relief, protection, and transportation of American citizens in, made necessary by existing political disturbances, etc. Use of officers, employees, and vessels of United States and use of supplies of Naval or Military Establishments, etc. Joint Res. No. 31, Aug. 5, 1914 (38 Stat. 776).

Evidence:

Legislative acts and judicial proceedings, authentication of. *See* Military tribunals.

Little & Brown's edition of Statutes at Large to be competent. *See* Military tribunals.

Records, documents, etc., copies of, in executive departments as. *See* Military tribunals.

Executive departments:

Attorneys practicing before, use of names of Members of Congress or officers to advertise their business. Act of Apr. 27, 1916 (39 Stat. 54).

Certificate of necessity for printing and binding to be furnished. *See* Printing and binding.

Evidence, copies of records, documents, etc., to be received as. *See* Military tribunals.

Executive Mansion, furniture for and inventory of property in. *See* Corps of Engineers.

Explosives for military service, transportation of. *See* Interstate commerce.

Explosives, manufacture, distribution, storage, use and possession of in time of war. Secs. 1-22, Act of Oct. 6, 1917 (40 Stat. 385-89).

Exposition, Panama-Pacific International, building for Government exhibit on Presidio of San Francisco military reservation and use of after close of exhibition. *See* Panama-Pacific International Exposition.

Expositions, property may be transported to or from free or at reduced rates. Sec. 22, Act of Feb. 4, 1887 (24 Stat. 380), as amended by sec. 9, Act of Mar. 2, 1889 (25 Stat. 862).

Expositions or fairs, transportation of public property to or from. *See* Interstate commerce.

Fairs, property may be transported to or from free or at reduced rates. Sec. 22, Act of Feb. 4, 1887 (24 Stat. 380), as amended by sec. 9 Act of Mar. 2, 1889 (25 Stat. 862).

Fairs or expositions, transportation of public property to or from. *See* Interstate commerce.

Federal prisoners:

Deduction from sentence for good conduct. Secs. 5543, 5544, R. S., as amended by Act of Mar. 3, 1875 (18 Stat. 479). *See also* Act of Mar. 3, 1891 (26 Stat. 840), superseded by Act of June 21, 1902 (32 Stat. 397), as amended by Act of Apr. 27, 1906 (34 Stat. 149).

Military prisoners, deductions from sentence for good conduct. Secs. 1, 2, 3, Act of June 21, 1902 (32 Stat. 397).

Parole of. Act of June 25, 1910 (36 Stat. 819), as amended by Act of Jan. 23, 1913 (37 Stat. 650).

Fees, Philippine Islands, to civilian witnesses. *See* Philippine Islands.

Firearms, Philippine Islands, lawful possession of, by officer, soldiers, etc. *See* Philippine Islands.

Fires, setting, on public lands. *See* Public lands.

Fire sufferers, Salem, Mass., relief of, expenditures under Secretary of War.
See Salem, Mass.

Fishways in navigable waters, authority for construction of. *See* Corps of Engineers.

Flags and ensigns. Secretary of War authorized to loan for purpose of decorating streets during forty-ninth encampment of the Grand Army of the Republic. *See* Grand Army of the Republic.

Floods:

Examinations, surveys, and projects relating to control of. Sec. 3, Act of Mar. 1, 1917 (39 Stat. 950).

Mississippi River, control of. Pars. a-d, Sec. 1, Act of Mar. 1, 1917 (39 Stat. 948).

Sacramento, Cal., control of. Pars. a-c, Sec. 2, Act of Mar. 1, 1917 (39 Stat. 949).

Flood sufferers of North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, and Mississippi, Secretary of War authorized to furnish food, Quartermaster and Medical Department supplies, etc., to. J. Res. of Aug. 3, 1916 (39 Stat. 434).

Authorization for extension of such relief to the flood sufferers of West Virginia. J. Res. of Aug. 24, 1916 (39 Stat. 534).

Florida flood sufferers of 1916, Secretary of War authorized to relieve with food, supplies of the Quartermaster and Medical Departments, etc. J. Res. of Aug. 3, 1916 (39 Stat. 434).

Fords (Mokuumeume) Island naval reservation, island of Oahu, Territory of Hawaii. Transfer of control and jurisdiction over to War Department for use for military purposes. Act of Aug. 29, 1916 (39 Stat. 568).

Foreign governments, ministers of United States may issue writs to prevent American citizens from enlisting in military service of. *See* Neutrality.

Foreign governments, President authorized to invite all of the great governments of the world to send representatives to a conference to be charged with the formation of a plan for a court of arbitration or other tribunal to settle international disputes. Act of Aug. 29, 1916 (39 Stat. 618).

Appointment of nine citizens to be representatives of the United States in such a conference. *Id.*

Appropriation made and set aside for expenses of. *Id.*

Compensation of representatives, etc., to be fixed by President.

Foreign officials, entertainment of, in connection with Panama-Pacific International Exposition. *See* Panama-Pacific International Exposition.

Foreign vessels, Philippine Islands, tonnage tax levied on, when entering United States from. *See* Philippine Islands.

Fort Bayard Hospital:

Subject to rules and articles of war. *See* Medical Department.

Treat officers and men of Army, Navy, and Marine Corps. *See* Medical Department.

Fortifications, injuries to mines, torpedoes, etc. *See* Corps of Engineers.

Fort Leavenworth Military Prison changed to United States penitentiary and restored to War Department. *See* Military prison.

Fort McHenry Military Reservation, temporary cession of jurisdiction to State of Maryland over that portion leased to city of Baltimore. J. Res. of Apr. 3, 1916 (39 Stat. 46).

Fort Mason Military Reservation, temporary cession of jurisdiction to State of California over portion used for exposition purposes. *See* Panama-Pacific International Exposition.

Franchises, Philippine Islands, for works of public utility, regulations to be adopted. *See* Philippine Islands.

Gama, Señor Domicio da, thanks of Congress and gold medal presented to, for services as mediator between United States and warring parties in Mexico. *See* Medals.

General Grant National Park. *See* National parks.

Removal of trespassers, etc., from. *See* Employment of military force.

Geological Survey, detail of ordnance officer with. *See* Details of Army officers.
Georgia flood sufferers of 1916, Secretary of War authorized to relieve with food, supplied by the Quartermaster and Medical Departments, etc. J. Res. of Aug. 3, 1916 (39 Stat. 434).

Georgia, reimbursement for encampment expenses, 1914. Act of May 12, 1917 (40 Stat. 66).

Gettysburg National Park. *See* National military parks.

Good-conduct time, deductions from sentences of military prisoners. *See* Federal prisoners.

Government Printing Office, employees of, not to be detailed in other branches of service. *See* Printing and binding.

Grand Army of the Republic:

Commissioners of District of Columbia to make special regulations for occasion of forty-ninth encampment, to be held in Washington, September-October, 1915. J. Res. No. 8, sec. 1, of Mar. 3, 1915 (38 Stat. 1222).

Loan of ensigns, flags, etc., by Secretary of War for purposes of decorating streets during encampment. Secs. 3 and 4, *id.* 1223.

Loan of hospital tents, ambulances, horses, drivers, etc., by Secretary of War, for caring for the sick, injured, and infirm during the encampment. Sec. 6, *id.* 1224.

Permits to use reservations and other public spaces in the city of Washington during encampment, Secretary of War authorized to issue. Sec. 5, *id.*

Grant Memorial, Gen. Ulysses S., appropriation heretofore made for unveiling and dedicating made available during fiscal year 1917. Act of July 1, 1916 (39 Stat. 291).

Graves of Confederate dead, marking in all national cemeteries and cemeteries at Federal military stations or locations throughout the country. *See* Marking graves of Confederate dead.

Guilford Courthouse National Military Park. *See* National military parks.

Habeas corpus, Philippine Islands, employment, suspension, etc., of writ of. *See* Philippine Islands.

Hague convention, hospital ships. *See* Medical Department.

Haiti, Republic of, detail of officers and enlisted men of Navy and Marine Corps to serve under Government of. Secs. 1-5, Act of June 12, 1916 (39 Stat. 223).

Harbor defenses, injuries to mines, torpedoes, etc. *See* Corps of Engineers.

Harbor lines, establishment and extension of, in navigable waters. *See* Corps of Engineers.

Harbor regulations for the District of Columbia. *See* Corps of Engineers.

Henry Barracks Military Reservation, Gayey, P. R. Transfer of control and jurisdiction over portion known as Magazine Hill to the Navy Department for naval purposes. Act of Aug. 29, 1916 (39 Stat. 568).

Hetch Hetchy Valley Reservoirs, Yosemite National Park, sale to War Department by city and county of San Francisco, Cal., of water required on military reservations in or near the city of San Francisco on certain conditions, etc. Par. (u), sec. 9, Act of Dec. 19, 1913 (38 Stat. 250).

Highways, public land, right of way for. *See* Public lands.

Homesteads, mode of procedure, right of entry, etc. *See* Public lands.

Honolulu, Hawaii, exchange of wharves at, by War and Navy Department. Act of May 12, 1917 (40 Stat. 57).

Horses, militia, purchase and maintenance of. *See Militia.*

Hospitals:

Fort Bayard, subject to rules and articles of war. *See Medical Department.*

Fort Bayard, treat officers and men of Army, Navy, and Marine Corps. *See Medical Department.*

Hot Springs, Ark., establishment of, use of hot water, etc. *See Medical Department.*

Hot Springs (S. Dak.). National Sanitarium in connection with National Home for Disabled Volunteer Soldiers. *See Medical Department.*

Hospital and medical supplies, Medical Department authorized to sell to Soldiers' Home at contract price. *See Soldiers' Home.*

Hospital ships, The Hague convention. *See Medical Department.*

Hot Springs Hospital, Arkansas, establishment of, use of hot water, etc. *See Medical Department.*

Hot Springs National Sanitarium, South Dakota, in connection with National Home for Disabled Volunteer Soldiers. *See Medical Department.*

Hunting, National parks, penalty for trespassing and shooting on. *See National parks.*

Income tax, war. *See War revenue act.*

Index to annual reports of Chief of Engineers from 1866 to 1917, inclusive, printing of 1,500 copies authorized. Sec. 4, Act of July 27, 1916 (39 Stat. 411).

Amended to include additional matter. Sec. 10, Act of Aug. 8, 1917 (40 Stat. 267)

Indian and colored soldiers, widows of. *See Pensions.*

Indian reservations, removal of persons from. *See Indians.*

Indians:

Agencies—

Consolidated. Sec. 6, Act of Mar. 1, 1883 (22 Stat. 451).

Discontinued. Sec. 2053, R. S., Act of June 22, 1874 (18 Stat. 177).

Discontinued and transferred. Sec. 2054, R. S., and sec. 2059, R. S.

Limited. Sec. 2066, R. S.

Agents—

Appointment. Sec. 2052, R. S.; sec. 1, Act of Feb. 14, 1873 (17 Stat. 437); Act of June 22, 1874 (18 Stat. 147); Act of Aug. 15, 1894 (28 Stat. 286).

Bonds. Sec. 2057, R. S.; Act of Mar. 3, 1875 (18 Stat. 451).

Duties. Sec. 2058, R. S., and secs. 4, 5, and 10, Act of Mar. 3, 1875 (18 Stat. 449-451); Act of May 27, 1878 (20 Stat. 86); sec. 9, Act of July 4, 1884 (23 Stat. 98).

Residences. Sec. 2060, R. S.

Term of office. Sec. 2056, R. S.; Act of May 17, 1882 (22 Stat. 87).

American captives, moneys due Indians. Sec. 2102, R. S.

Annuities—

to Minors. Sec. 8, Act of Mar. 1, 1899 (30 Stat. 947).

Mode of payment and distribution of goods. Sec. 2086, R. S.; sec. 6, Act of Mar. 3, 1875 (18 Stat. 450); Act of Aug. 15, 1876 (19 Stat. 196).

Payment in goods. Sec. 2082, R. S.

Payment in coin. Sec. 2081, R. S.

Withholding from intoxicated persons. Sec. 2087, R. S.

Indians—Continued.

Annual accounts of disbursements. Sec. 2091, R. S., and sec. 8, Act Mar. 3, 1875 (18 Stat. 450).

Arms, sale of, prohibited. Sec. 467, R. S.

Arms, etc., training with hostile and uncivilized, prohibited. Sec. 2186, R. S., and J. Res. No. 20, Aug. 5, 1876 (19 Stat. 216).

Arson. Sec. 2143, R. S.

Assault, penalty. Sec. 2142, R. S.

Assault upon United States officials, penalty; jurisdiction of district court. Act June 9, 1888 (25 Stat. 178).

Cattle, sale of, penalty. Act July 4, 1884 (23 Stat. 94).

Children, legitimacy of. Sec. 10, Act of June 7, 1897 (30 Stat. 62).

Citizenship, adopting civilized life and allottees. *See* Naturalization.

Civilized life, protection of. Sec. 2119, R. S.

Commissioner of Indian Affairs, duties. Sec. 463, R. S.

Compensation. Sec. 2076, R. S.

Correspondence to excite to war, penalty. Sec. 2113, R. S.

Crimes, jurisdiction; certain offenses subject to territorial laws. Sec. 9, Act of Mar. 3, 1885 (23 Stat. 385).

General laws respecting, extended to. Sec. 2145, R. S.

Crimes and offenses. Sec. 328, Act Mar. 4, 1909, Criminal Code (35 Stat. 1151).

Detail of Army officers—

for Education of. *See* Details of Army officers.

for Industrial and training schools. *See* Details of Army officers.

Deeds, acknowledgment of by agents. Sec. 2064, R. S.

Disbursing officers, security additional. Sec. 2075, R. S.

Disbursements, mode of. Sec. 2080, R. S.

Depositions, superintendent to take. Sec. 2157, R. S.

Employees not to trade with. Sec. 2078, R. S.

Foreigners entering Indian country without passports, penalty. Sec. 2134, R. S.

Goods—

Mode of distribution. Sec. 2090, R. S.

Proceedings against, for violating revenue laws. Sec. 2125, R. S.

Purchase of. Sec. 2083, R. S., and Act of June 22, 1874 (18 Stat. 176); sec. 7, Act of Mar. 3, 1875 (18 Stat. 450); Act of Aug. 15, 1876 (19 Stat. 196).

Grants or purchases from. Sec. 2116, R. S.

Horse stealing, robbery. Act, Feb. 15, 1888 (25 Stat. 33).

Hostile, annuities. Sec. 2100, R. S.

Hunting on lands, prohibited. Sec. 2137, R. S.

Inspectors. Sec. 2043, R. S.; sec. 6, Act of Feb. 14, 1873 (17 Stat. 463); Act of Mar. 3, 1875 (18 Stat. 422); Act of May 31, 1900 (31 Stat. 224).

Inspectors, powers and duties. Sec. 2045, R. S.

Issues of food, etc., report of number receiving. Sec. 2109, R. S.

Laws for agents. Sec. 7, Act of May 17, 1882. (22 Stat. 88).

Leaves of absence for agents and employees. Sec. 2074, R. S.

Liquors and firearms, sales of, to Indians in Alaska, penalty. Secs. 142 and 466, Act of Mar. 3, 1899 (30 Stat. 1253).

Liquors, sale of, punishment. Sec. 8, Act of Mar. 1, 1895 (28 Stat. 693).

Mails, forgery and depredations. Sec. 2144, R. S.

Indians—Continued.

Oaths—

Administered by agents. Act of Mar. 1, 1899 (30 Stat. 824).

in Pension claims before agents. Sec. 2, Act of July 26, 1892 (27 Stat. 272).

Offices, holding of two, prohibited. Sec. 2074, R. S.

Payments by special agents, compensation, bond. Sec. 11, Act of Mar. 3, 1895 (28 Stat. 910).

Penalties, how recovered. Sec. 2124, R. S.

Police—

Allottees preferred for employment. Sec. 5, Act of Feb. 8, 1887 (24 Stat. 390).

Crimes against, to be tried, district court. Act of Mar. 2, 1887 (24 Stat. 464).

Number of, and rates of pay. Act of May 27, 1878, and Feb. 17, 1879 (20 Stat. 86, 315).

Posse committatus to be used in executing process. Sec. 2153, R. S.

Process, to be executed by marshals. Act of June 4, 1888 (25 Stat. 167).

Proof, burden of. Sec. 2126, R. S.

Property, injury to, by Indians. Sec. 2156, R. S.

Property, payment for same if reparation can not be made. Sec. 2155, R. S.

Property, reparation for injury. Sec. 2154, R. S.

Purchases, manner of. Sec. 2084, R. S.

Rape. Sec. 5, Act of Jan. 15, 1897 (29 Stat. 487).

Reservation, removal of persons from. Sec. 2149, R. S.

Return to Indian country, penalty. Sec. 2148, R. S.

Schools—

Detail of Army officers for normal and industrial training. *See* Details of Army officers.

Use of vacant military posts and barracks for normal and industrial training. *See* Details of Army officers.

Secretary of the Interior charged with supervision of. Sec. 441, R. S.

Seditious messages—

Carrying, penalty. Sec. 2112, R. S.

Sending. Sec. 2111, R. S.

Special agents and commissions. Sec. 2067, R. S.

Stock feeding on Indian lands. Sec. 2117, R. S.

Subagents—

Sec. 2055, R. S.

Interpreters discontinued. Sec. 2073, R. S. and Act of Feb. 27, 1877 (19 Stat. 244).

Supplies, claims for. Sec. 2085, R. S.

Survey of reservations. Sec. 2115, R. S.

Traders—

Except skins and furs, prohibited. Sec. 2135, R. S.

Prohibited by President. Sec. 2132, R. S.

Traders—

Appointee. Sec. 2128, R. S.

Appointment of. Sec. 5, Act of Aug. 15, 1876 (19 Stat. 200).

Traders' license—

Necessity of obtaining and term of. Sec. 2129, R. S.

Refusal of. Sec. 2130, R. S.

Revocation of. Sec. 2131, R. S.

Indians—Continued.

Trading without license, penalty. Sec. 2133, R. S.; and Act of July 31, 1882 (22 Stat. 179).

Training school, superintendent, bond. Act of Mar. 3, 1899 (30 Stat. 924).

Traveling expenses. Sec. 2077, R. S.

Treaties—

Abrogation of. Sec. 2080, R. S.; Sec. 2, Act of Mar. 2, 1875 (18 Stat. 449).

None in future. Sec. 2079, R. S., and Sec. 3, Act of June 22, 1874 (18 Stat. 176); Act of June 10, 1876 (19 Stat. 58).

Treaty, violations, goods withheld. Sec. 2101, R. S.

Trespass by chief, cause for suspension. Sec. 2121, R. S.

Trespassing on lands. Sec. 2120, R. S.

Tribes west of Mississippi River under general superintendence of President. Sec. 2114, R. S.

Timber—

Dead and fallen. Act Feb. 16, 1889 (25 Stat. 673).

Depredations. Sec. 5388, R. S.; Act June 4, 1888 (25 Stat. 166).

Two offices, holding prohibited; leaves of absences. Sec. 2074, R. S.

White man marrying an Indian woman not to acquire tribal rights. Act Aug. 9, 1888 (25 Stat. 392).

Indian Wars, pension for services in. *See* Pensions.

Indian Wars, pensions to survivors of certain. Secs. 1-3, Act of Mar. 4, 1917 (39 Stat. 1199).

Indigent soldiers, burial of, in national cemeteries. *See* National cemeteries.

Insane, inmates National Homes for Disabled Volunteer Soldiers, care of. *See* National Homes for Disabled Volunteer Soldiers.

Insane natives, Philippine Islands, serving in Army, care of. *See* Philippine Islands.

Inspector General's Department, appointments in, from Volunteers. Act of Mar. 2, 1901 (31 Stat. 900).

Insular Government, Philippine Islands, salary of Army officers detailed to duty under. *See* Philippine Islands.

Interisland traffic, Philippine Islands, regulations governing. *See* Philippine Islands.

Interior, Department of. *See* Department of the Interior.

International arbitration, courts or other tribunals for settlement of all international disputes by. President authorized to invite all of the great Governments of the world to send representatives to a conference to be charged with the formulation of a plan for. Act of Aug. 29, 1916 (39 Stat. 618).

Appointment by President of nine citizens to be representatives of the United States at such a conference. *Id.*

Compensation of representatives, etc., to be fixed by President. Appropriation made and set aside for expenses of. *Id.*

International arbitration, declared policy of United States to settle all of its international disputes by mediation or. *Id.*

Interstate Commerce Commission, membership enlarged; appointment of new members; general rules, orders, etc.; division of commission authorized; assignment of members and work to divisions; full jurisdiction conferred upon divisions; enforcement of orders; rehearings, etc., etc. Secs. 1-4, Act of Aug. 9, 1917 (40 Stat. 270-272).

Interstate commerce, transportation:

Animals, prevent cruelty; feeding and resting periods. Act of June 29, 1906 (34 Stat. 607).

Interstate commerce, transportation—Continued.

Night-hour day for employees of carriers engaged in foreign or. Secs. 1-4, Act of Sept. 3-5, 1916 (39 Stat. 721).

Explosives for military. Sec. 232, Act of Mar. 4, 1909 (35 Stat. 1134).

Property of the United States or property to or from fairs or expositions free or at reduced rates. Sec. 22, Act of Feb. 4, 1887 (24 Stat. 380), as amended by Sec. 9, Act of Mar. 2, 1889 (25 Stat. 862).

Quarantine live stock, notice to carriers. Act of Feb. 2, 1903 (32 Stat. 791).

Intervention by United States in Cuban affairs, authorization for *See* Cuba.

Isthmian Canal Commission. (*See also* Panama Canal.)

Appointment, qualifications, duties, etc. Sec. 7, Act of June 28, 1902 (32 Stat. 483).

Appropriations available for payment of obligations of. Sec. 4, Act of May 27, 1908 (35 Stat. 387).

Accounts of, audited by Auditor for War Department. Act of Feb. 3, 1905 (33 Stat. 647).

Canal Zone, leases of land in. Act of Feb. 27, 1909 (35 Stat. 658).

Duties, etc., of. *See* Corps of Engineers.

Employees, leaves of absence to. Act of Feb. 24, 1909 (35 Stat., 645).

Employment of engineers, compensation. Sec. 7, Act of June 28, 1902 (32 Stat. 483).

Engineers, offices for. Sec. 7, Act of June 28, 1902 (32 Stat. 483).

Powers conferred on President may be exercised through. Sec. 5, Act of Feb. 27, 1909 (35 Stat. 658).

Isle of Pines, title to. *See* Cuba.

Judge Advocate General's Department, appointments in, from Volunteers. Act of Mar. 2, 1901 (31 Stat. 900).

Judicial proceedings, evidence, authentication of. *See* Military tribunals.

Jury duty, record of conviction against any child in the Juvenile Court of the District of Columbia not a disqualification for. Act of Apr. 27, 1916 (39 Stat. 56).

Justices of the Peace; Philippine Islands, Army officers to be, in connection with sale of intoxicating liquors. *See* Philippine Islands.

Juvenile court, District of Columbia, record of conviction against any child in, not a disqualification for jury duty, for holding office, or for any other public service under the Federal or District Governments. Act of Apr. 27, 1916 (39 Stat. 56).

"Kyle and Young Canal" and the "Morrison Landing extension" of the same, on the Oklawaha River, Florida, acceptance of title by Secretary of War to the land and navigation improvements, etc. Act of July 27, 1916 (39 Stat. 396).

Canal to become free public waterway of the United States. *Id.*

Lagoons, Potomac Park, District of Columbia, restrictions on. *See* Corps of Engineers.

Land registration, Philippine Islands, procedure in filing claims, etc., in court of. *See* Philippine Islands.

Lands:

Acquisition of, for national cemeteries. *See* National cemeteries.

Condemnation and purchase of, for river and harbor improvement. *See* Corps of Engineers.

Philippine Islands, acquisition of privately owned, for military purposes. *See* Philippine Islands.

Laundresses, hereafter women not allowed to accompany troops as. *See* Army.

Leases:

Land in Canal Zone. *See* Isthmian Canal Commission.

Public lands, Canal Zone. *See* Panama Canal.

Leave of absence, President authorized to grant to officer of Corps of Engineers, to assist Republic of China on reclamation work. *See* Details of Army officers.

Legislative acts, evidence, authentication of. *See* Military tribunals.

Leprosy, home for care and treatment of persons afflicted with. Secretary of War may transfer abandoned military reservation for. Secs. 1-6, Act of Feb. 3, 1917 (39 Stat. 872-3).

Lessees of water power on Muskingum River, Ohio, whose property was destroyed by Ohio Valley flood of March, 1913, relief of. *See* Corps of Engineers.

Library, Surgeon General's office, binding and location of. *See* Medical Department.

Licenses:

Liquor, Philippine Islands, not to be granted on military reservations or within certain areas. *See* Philippine Islands.

Philippine Islands, coastwise and harbor vessels. *See* Philippine Islands. to Practice medicine or surgery in Alaska, not to apply to emergency medical relief to natives. Sec. 15, Act of Feb. 6, 1909 (35 Stat. 604).

Lighthouse Board, compensation, organization, etc., of. *See* Corps of Engineers.

Lighthouses, construction, inspection, etc., of. *See* Corps of Engineers.

Lincoln Farm Association, acceptance of title from to the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial hall inclosing the same, and an endowment fund of \$50,000 in relation thereto. After acceptance of the property by the President and Secretary of War its control to be under the Secretary of War. Act of July 17, 1916 (39 Stat. 385).

Lincoln memorial:

Approval of plan and design of commission. J. Res. No. 7, Feb. 1, 1913 (37 Stat. 1022).

Authorized, commission created. Act of Feb. 9, 1911 (36 Stat. 598).

Resident commissioner designated, compensation. Act of Mar. 3, 1913 (37 Stat. 731).

Liquor licenses:

Disposition of moneys derived from in Alaska. *See* Alaska.

Philippine Islands, not to be granted on military reservations or within certain areas. *See* Philippine Islands.

Liquors:

National Home for Disabled Volunteer Soldiers, loss of appropriation where permit sale of intoxicating. *See* Medical Department.

Prohibition of manufacture and sale of in Alaska. Secs. 1-33, Act of Feb. 14, 1917 (39 Stat. 903).

Sale of to Indians, punishment. *See* Indians.

State or Territorial homes for disabled soldiers and sailors, loss of appropriation where permit sale of intoxicating. *See* Medical Department.

Locust pest, Philippine Islands, suppression of. *See* Philippine Islands.

Machines, typewriting, restrictions as to price to be paid by Government for. *See* Typewriting machines.

Marine Corps, detail of officers and enlisted men of Navy and, to serve under Government of Republic of Haiti. Secs. 1-5, act of June 12, 1916 (39 Stat. 223).

Marine Corps. Fort Bayard Hospital, treatment of officers and men at. *See* Medical Department.

Marking graves of Confederate dead; provisions for extended to graves of Confederate soldiers and sailors in all National cemeteries and cemeteries at Federal military stations or locations throughout the country. J. Res. No. 7, Mar. 14, 1914 (38 Stat. 768).

Further continuation for two years of provisions relating to, and providing that the registers shall include the time and place of death of each Confederate soldier prisoner of war. J. Res. of Apr. 17, 1916 (39 Stat. 52).

Maryland, temporary cession of jurisdiction to State of over that portion of Fort McHenry Military Reservation which has been leased to the city of Baltimore. J. Res. of Apr. 3, 1916 (39 Stat. 46).

Mears, Frederick, Lieut., detail of to assist in location and construction of Government railroads in Alaska. J. Res. No. 17, May 13, 1914 (38 Stat. 772).

Medals, gold, with thanks of Congress presented to Señors Domicio da Gama, Romulo S. Naón, and Eduardo Suarez for services as mediators between Government of United States and warring parties in Republic of Mexico. J. Res. No. 17, of Mar. 4, 1915 (38 Stat. 1228).

Mediation or arbitration, declared policy of United States to settle all international disputes by. Act of Aug. 29, 1916 (39 Stat. 618).

Mediators, thanks of Congress and gold medals presented to Señors Domicio da Gama, Romulo S. Naón, and Eduardo Suarez for services as between United States and warring parties in Mexico. *See* Medals.

Medical Bulletin, Army, for instruction of medical officers. *See* Medical Department.

Medical Department:

Authorized to sell medical and hospital supplies to soldiers' home at contract price. *See* Soldiers' home.

Commutation direct to soldier, no fee to agent or attorney. Act of Mar. 3, 1891 (26 Stat. 979).

Commutation to persons who can not use artificial limbs. Sec. 4790, R. S. Fort Bayard Hospital—

Subject to Rules and Articles of War. Act of June 12, 1906 (34 Stat. 255).

to Treat officers and men, Navy and Marine Corps Act of Mar. 2, 1907 (34 Stat. 1172).

Hospital ships, The Hague convention. Sec. 1, Act of Mar. 24, 1908 (35 Stat. 46).

Hot Springs, Ark.—

Creating reservation. Sec. 4, Act of Mar. 3, 1877 (19 Stat., 378); Act of Dec. 16, 1878 (20 Stat., 258); sec. 3, Act of June 16, 1880 (21 Stat. 289).

Estimates, post military establishment. Act of Aug. 4, 1886 (24 Stat. 245); Act of Mar. 3, 1909 (35 Stat. 748).

Hospital, establishment of. Act of June 30, 1882 (22 Stat. 121).

Hot water for additional houses; new bathhouses not to be owned by interested persons. J. Res. No. 8, Mar. 25, 1888 (26 Stat. 619).

Hot water for bathhouses off reservation. J. Res. No. 14, Mar. 3, 1887 (24 Stat. 647).

Hot Springs (S. Dak.) National Sanitarium, establishment. Sec. 1, Act of May 29, 1902 (32 Stat. 282).

Library, binding. Sec. 96, Act of Jan. 12, 1895 (28 Stat. 601).

Library, Surgeon General's Office, Ford's Theater, building for. Act of Apr. 7, 1866 (12 Stat. 23).

Medical Department—Continued.

National Home for Disabled Volunteer Soldiers, appropriation for, not available for any branch which permits sale of intoxicating liquors. Act Aug. 1, 1914 (38 Stat. 642).

Printing and binding, Army Medical Bulletin for instruction of medical officers. Act of Aug. 1, 1914 (38 Stat. 642).

State or Territorial homes for disabled soldiers and sailors, appropriation for, not available for any home which permits sale of intoxicating liquors. Act of Aug. 1, 1914 (38 Stat. 642).

State or Territorial homes for disabled soldiers and sailors, collections from inmates for support of. Act of Aug. 1, 1914, (38 Stat. 642).

Supply depot at Fort Sam Houston, Tex. Acquisition of additional land for and construction of. Act of Aug. 29, 1916 (39 Stat. 636).

Medical and hospital supplies, Medical Department authorized to sell soldiers' home at contract price. *See* Soldiers' home.

Medical officers, Army Medical Bulletin for instruction of. *See* Medical Department.

Medical officer, detail of, with Red Cross. *See* Details of Army Officers.

Medicine and surgery, license to practice in Alaska not apply to emergency medical relief to natives. Sec. 15, Act of Feb. 6, 1909 (35 Stat. 604).

Memorial amphitheater, Arlington, Va. *See* Arlington memorial amphitheater.

Memorial monument to commemorate the women of the Civil War:

Contribution by the Government for the site and for the building, condition of payment, etc. Act of Oct. 22, 1913 (38 Stat. 233).

Commission to approve site and plans and to supervise expenditures to consist of the Secretary of War, the chairman of the Joint Committee of the Library of Congress, and the president of the American Red Cross. Act of Oct. 22, 1913 (38 Stat. 233).

Commission of Fine Arts also to approve the plans for the memorial. Act of Oct. 22, 1913 (38 Stat. 233).

Memorial to be permanent headquarters of the American Red Cross. Act of Oct. 22, 1913 (38 Stat. 233).

Red Cross, American, to be charged with and responsible for the care, keeping, and maintenance of the memorial and grounds, but the title to the site and building shall be in the United States. Act of Oct. 22, 1913 (38 Stat. 233).

Mexican War, pension for services in. *See* Pensions.

Mexico:

National cemetery near city of, subject to regulations of United States national cemeteries. *See* National cemeteries.

Relief and transportation of American citizens in. Act of Apr. 24, 1914 (38 Stat. 346).

Relief and transportation of destitute American citizens in. J. Res. No. 10, Sept. 16, 1913 (38 Stat. 223).

Relief and transportation of destitute American citizens in. Act of July 14, 1916 (39 Stat. 359).

Thanks of Congress and gold medals presented to Señors Domicio da Gama, Romulo S. Naon, and Eduardo Suarez for services as mediators between United States and warring parties of. *See* Medals.

Midshipmen at United States Naval Academy, three for each Senator, Representative, and Delegate in Congress, one for Porto Rico, two for District of Columbia, 10 appointed each year at large, and 15 appointed annually from enlisted men of the Navy. Act of Feb. 15, 1916 (39 Stat. 9).

Military employees, United States commissioners, not to hold or exercise duties of. *See* Civil office.

Military posts:

- Funds for not to be used in establishment of military prisons. *See* Military prisons.

Indian schools, use of vacant barracks and for normal and industrial training. *See* Details of Army officers.

Post traders, vacancies not to be filled. Act of Jan. 28, 1893 (27 Stat. 426).

Military prison:

Convicts limited to actual subsistence. Act of Feb. 25, 1910 (36 Stat. 210).

Fort Leavenworth changed to United States penitentiary under Department of Justice. Act of June 10, 1896 (29 Stat. 380).

Funds for military posts not to be used in establishment of. Act of June 25, 1910 (36 Stat. 721).

Good conduct allowance for prisoners. Secs. 1, 2, and 3, Act of June 21, 1902 (32 Stat. 397).

Military prisoners:

Deduction from sentences for good conduct. *See* Federal prisoners.

Parole of. *See* Federal prisoners.

Military reservations:

Abandoned, disposition of. *See* Public property.

Abandoned, Secretary of War authorized to transfer for use as home for care and treatment of persons afflicted with leprosy. Secs. 1-6, Act of Feb. 3, 1917 (39 Stat. 872-873).

Henry Barracks, Cayey, P. R. Transfer of control and jurisdiction over portion known as Magazine Hill to the Navy Department for naval purposes. Act of Aug. 29, 1916 (39 Stat. 568).

Honolulu, Hawaii, exchange of wharves with the Navy Department. Act of May 12, 1917 (40 Stat. 57).

Miley, Fort, Cal. *See* Winfield Scott, Fort, Cal.

Offenses on, not prohibited by Federal law, punishment of. *See* Public property.

Philippine Islands—

Acquisition of, arrest on, claims for private lands within, etc. *See* Philippine Islands.

Civil authorities not to interfere with military administration of lands reserved for. *See* Philippine Islands.

Liquor licenses not to be granted on or within certain areas. *See* Philippine Islands.

Presidio of San Francisco, civil police may be called upon to make arrests of trespassers, etc. Act of June 4, 1888 (25 Stat. 167).

Presidio of San Francisco, Cal. Consent of United States to the closing of certain public streets of the city of San Francisco east of the eastern boundary of, and their utilization as site for a State normal school, etc. Act of Aug. 29, 1916 (39 Stat. 637).

Presidio of San Francisco, Cal. Panama-Pacific International Exposition Co., and its successors in interest, may be authorized to occupy portion of, with a palace of fine arts. *Id.*

Extension of cession of jurisdiction to State of California over part to be occupied during such occupancy, and to terminate on revocation of the permit, etc. *Id.*

Failure to remove the buildings on revocation of the permit to vest title to them in the United States. *Id.* 638.

Military reservations—Continued.

Presidio of San Francisco, Cal. Convey site of palace of fine arts to California University in exchange for other lands, etc. Act of May 12, 1917 (40 Stat. 57).

Puuloa, Pearl Harbor, Island of Oahu, Territory of Hawaii. Transfer of jurisdiction and control over to the Navy Department for use for naval purposes. Act of Aug. 29, 1916 (39 Stat. 642).

Sam Houston, Fort, Tex. Acquisition of additional land at, and construction of supply depots for the Quartermaster Corps, the Medical Department, the Corps of Engineers, and the Signal Corps. Id. 636.

Shelter, temporary, for troops on Canal Zone. Portion of money appropriated for acquisition of site and construction of, above supply depots may be used for providing. Id.

no Part of money so appropriated to be paid for commutation of fuel or quarters for enlisted men. Id.

Sam Houston, Fort, Tex. Purchase of land for extending reservation, etc. Act of May 12, 1917 (40 Stat. 56).

San Jacinto, Tex., county or city of Galveston and other local interests to quiet all claims to title to. Act of July 27, 1916 (39 Stat. 398).

Schofield Barracks, Territory of Hawaii. The Dowsett Co. (Ltd.) given permission, within a time limit, to remove certain buildings from. Act of Aug. 29, 1916 (39 Stat. 636).

Vancouver Barracks, Wash. Acquisition of additional lands and construction of suitable target ranges, etc., on. Id. 638.

Winfield Scott, Fort, Cal. Construction of road connecting, within the Presidio of San Francisco, Cal., with city and county road leading to Fort Miley. Id. 637.

Wood, Fort (Bedloes Island), New York Harbor, Secretary of War authorized to accept funds raised by popular subscription through the New York World for construction of electric lighting plant for illuminating the Statue of Liberty on. Sec. 5, Act of July 27, 1916 (39 Stat. 411).

Wright, Fort H. G., N. Y. Exchange of right of way to, for easement in other lands. Act of Feb. 14, 1917 (39 Stat. 909).

Military roads:

Atlantic & Pacific Railroad, post route and military road. *See* Transportation.

Northern Pacific Railroad, post route and military road. *See* Transportation.

Southern Pacific Railroad, post route and military road. *See* Transportation.

Union & Central Pacific Railroad, post route and military road. *See* Transportation.

Military service, foreign countries, ministers of United States in, may issue writs to prevent American citizens from enlisting in. *See* Neutrality.

Military supplies, use of, in connection with relief, protection, and transportation of American citizens in Europe, made necessary by existing political disturbances. *See* Europe.

Military telegraph operators, Civil War, record and certificate of service to persons who serve as. Act of Jan. 26, 1897 (29 Stat. 497).

Military tribunals:

Accused may testify. Act of Mar. 16, 1878 (20 Stat. 30).

Constitution, composition, jurisdiction, etc. Act of June 18, 1898 (30 Stat. 483).

Consuls, United States, copies of records, etc. Sec. 896, R. S.

Military tribunals—Continued.

Closed sessions of court-martial trials. Sec. 2, Act of July 27, 1892 (27 Stat. 278).

Embezzlement of public money; transcript of books, Treasury. Sec. 887, R. S.

Evidence, Little & Brown's edition of the statutes to be competent. Sec. 908, R. S.

Evidence, rules, witnesses not excluded on account of color. Sec. 858, R. S., as amended by Act of June 29, 1906 (34 Stat. 618).

Executive departments, records, documents, etc., copies of. Sec. 882, R. S.

Incriminating questions. Sec. 860, R. S.

Journals of Congress. Sec. 895, R. S.

Legislative acts and judicial proceedings, authentication of. Sec. 905, R. S.

Military commissions, spies. Sec. 2, Act of Apr. 10, 1806 (2 Stat. 371); sec. 4, Act of Feb. 13, 1862 (12 Stat. 340); sec. 38, Act of Mar. 3, 1863 (12 Stat. 737).

Prisoners, good conduct allowance. Secs. 1, 2, and 3, Act of June 21, 1902 (32 Stat. 397).

Records not appertaining to court, to be proved. Sec. 906, R. S.

Records, etc., office of Solicitor of the Treasury. Sec. 883, R. S.

Reporters. Sec. 1203, R. S.; sec. 2, Act of June 23, 1874 (18 Stat. 244).

Returns, copies for returns office. Sec. 888, R. S.

Witnesses compelled to attend. Sec. 1202, R. S.

Witnesses, refusal to appear or testify. Act of Mar. 2, 1901 (31 Stat. 950).

Militia:

Arms and equipments, distribution to States. Sec. 1670, R. S.

Arms and ordnance stores, crediting for issue during Civil War. Sec. 3, Act of Mar. 3, 1875 (18 Stat. 455).

District of Columbia—**Militia of—**

Authority to make contracts and leases and expenditures for heat, light, etc. Act of Apr. 27, 1904 (33 Stat. 389).

Deduction of pay to reimburse for public property lost, etc.; also providing an allowance for clothing and equipment. Sec. 1, Act of Mar. 2, 1911 (36 Stat. 1004). Also supplementing the ration.

Purchase of supplies and procurement of services for, in open market. Act of May 26, 1908 (35 Stat. 303).

Naval Militia of—

Secs. 1 to 5, Act of May 11, 1898 (30 Stat. 404).

Horses, purchase and maintenance of; use of appropriation forbidding (temporary). Act of Mar. 3, 1909 (35 Stat. 694).

Issue of Springfield rifles to States. Act of Feb. 24, 1897 (29 Stat. 592).

Ordnance and ordnance stores issued to, credit for, Act of Mar. 2, 1889 (25 Stat. 833).

Ordnance and ordnance stores, replacing stores carried into war with Spain. Act of Mar. 3, 1899 (30 Stat. 1073).

Purchase of Army supplies for, credit for. Sec. 3, Act of Feb. 24, 1897 (29 Stat. 592), as amended by Act of Mar. 15, 1898 (30 Stat. 326).

Mining claims, Philippine Islands, on military reservations. *See* Philippine Islands.

Mines, torpedoes, etc., for harbor defenses, injuries to. *See* Corps of Engineers.

Minnesota and North and South Dakotas, consent of Congress to improvement of boundary water by. Sec. 5, Act of Aug. 8, 1917 (40 Stat. 266).

Mississippi Centennial Exposition at Gulfport, Miss., transfer of Government exhibit at the Panama-California International Exposition to, at the close of the last-named exposition. J. Res. of Sept. 8, 1916 (39 Stat. 854).

Government exhibit board authorized to repair and rearrange the Government exhibit before transferring it to the Mississippi Centennial Exposition. Sec. 3, id. 855.

Laws or parts of laws relating to the Government exhibit, a Government exhibit board, including detail of civilians and Army and Navy officers, etc., continued and made applicable to the Mississippi Centennial Exposition. Sec. 2, id. 854.

United States not responsible for any bond, debt, contract, etc., in connection with such exposition. Sec. 4, id. 855.

Mississippi River Commission, creation, duties, headquarters of, etc. *See* Corps of Engineers.

Mississippi River floods, control of, Pars. a-d, Sec. 1, Act of Mar. 1, 1917 (39 Stat. 948).

Mississippi River flood, Secretary of War authorized to loan, issue, or use quartermaster's and medical supplies for relief of destitute persons in districts overflowed by. J. Res. of Feb. 15, 1916 (39 Stat. 11).

Mississippi River flood sufferers of 1916, Secretary of War authorized to relieve with food, supplies of the Quartermaster and Medical Departments, etc. J. Res. of Aug. 3, 1916 (39 Stat. 434).

Mississippi River, piers and cribs in, snag boats and water gauges on, South Pass of, etc. *See* Corps of Engineers.

Missouri Militia, pensionable status of. *See* Pensions.

Missouri River Commission, composition, creation, duties, etc. *See* Corps of Engineers.

Mokuumeume (Fords) Island Naval Reservation, island of Oahu, Territory of Hawaii. Transfer of control and jurisdiction over to War Department for use for military purposes. Act of Aug. 29, 1916 (39 Stat. 563).

Money, Canal Zone, received from service, supplies, etc., disposition of. *See* Panama Canal.

Monuments in national cemeteries, destroying and injuring trees and. *See* National cemeteries.

Moro Province, Philippine Islands, government of, use of Army in aid of civil authorities, etc. *See* Philippine Islands.

Mosquito Creek, South Carolina, declared nonnavigable. Sec. 15, Act of Aug. 8, 1917 (40 Stat. 268).

Murray, Arthur, Maj. Gen., United States Army, retention of on active list until close of Panama-Pacific International Exposition. *See* Army officers.

Muskingum River, Ohio, relief of lessees of water power on, whose property was destroyed by Ohio Valley flood of March, 1913. *See* Corps of Engineers.

Naon, Señor Romulo S., thanks of Congress and gold medal presented to for services as mediator between United States and warring parties in Mexico. *See* Medals.

Narcotics, opium or coca leaves, their salts, derivatives, etc.:

Penalty for possession or control of by persons not registered, etc. Secs. 1-12, Act of Dec. 17, 1914 (38 Stat. 785-790).

National archives building, District of Columbia. *See* Archives building, national.

National cemeteries:

Acquisition of lands for, by Secretary of War. Sec. 4870, R. S.

Appraisement of land appropriated for, by court. Sec. 4871, R. S.

National cemeteries—Continued.

- Care and preservation of cemetery near Mexico City in which are buried officers and soldiers of the United States. Sec. 4879, R. S.
- Cemetery in Mexico to be subject to rules and regulations affecting national cemeteries within the United States. Sec. 4880, R. S.
- Criminal offenses, defacing, etc. penalty. Sec. 4881, R. S.
- Destroying or injuring monuments, trees, etc., prohibited. Sec. 4881, R. S.
- Encroachments by railroads forbidden. Act of Mar. 2, 1895 (28 Stat. 949).
- Expenses for burial of ex-Union soldiers, etc., in Arlington Cemetery or other cemeteries in the District of Columbia to be disbursed by Secretary of War. Act of Mar. 3, 1899 (30 Stat. 1108).
- Indigent soldiers, burial. Act of Mar. 3, 1899 (30 Stat. 1108), amended by Act of April 28, 1904 (33 Stat. 495); sec. 1, Act of June 25, 1910 (36 Stat. 724).
- Land, acquisition of. Sec. 4870, R. S., and Act of July 24, 1876 (19 Stat. 99); Act of Mar. 2, 1877 (19 Stat. 269).
- Marking graves of Confederate dead in all cemeteries at Federal military stations, and, or locations throughout the country. *See* Marking graves of Confederate dead.
- Mexico:
 - Near city of. Sec. 4879, R. S.
 - Subject to rules and regulations of United States national military cemeteries. Sec. 4880, R. S.
 - Payment for land. Sec. 4872, R. S.
 - Railroads not to encroach upon. Act of Mar. 2, 1895 (28 Stat. 949); sec. 1, Act of June 25, 1910 (36 Stat. 723); sec. 1, Act of March 4, 1911 (36 Stat. 1399).
 - Roadways within corporate limits of cities, towns, etc., and not owned by United States not to be repaired, and no appropriation to be used for the maintenance of more than a single approach to. Act of July 1, 1916 (39 Stat. 286).
 - Secretary of War—
 - to Appoint superintendents and erect buildings. Sec. 4873, R. S.
 - to Pay appraised value of lands. Sec. 4872, R. S.
 - Superintendents are authorized to make arrests. Sec. 2, Act of Mar. 3, 1897 (29 Stat. 621).
 - Superintendent to make arrests. Sec. 4881, R. S.
- National defense, appropriation of \$100,000,000 for. Act of April 17, 1917 (40 Stat. 28).
- Life of appropriation extended by Act of Dec. 15, 1917 (Pub. 92, 65th Congress, 40 Stat. —).
- National defense, issue of bonds to meet expenditures for. Secs. 1–8, Act of Apr. 24, 1917 (40 Stat. 35–37).
- National issue authorized and borrowing of money, etc., Secs. 1–12, Act of Sept. 24, 1917 (40 Stat. 288–295).
- National defense secrets, Philippine Islands, jurisdiction over offense. *See* Philippine Islands.
- National defense, stimulating agriculture and facilitating the distribution of agricultural products. Secs. 1–12, Act of Aug. 10, 1917 (40 Stat. 273–276).
- National Homes for Disabled Volunteer Soldiers:
 - Accounts. Act of Aug. 18, 1894 (28 Stat. 411); Act of Mar. 3, 1901 (31 Stat. 1178); Act of Apr. 28, 1904 (33 Stat. 500).
 - Balances, disposal of. Act of Oct. 2, 1888 (25 Stat. 543).

National Homes for Disabled Volunteer Soldiers—Continued.

Board of managers, appointment of new members. (Pub. Res. No. 54 of Mar. 3, 1917, 39 Stat. 1134.)

Bond, assistant treasurer. Act of June 6, 1900 (31 Stat. 636).

Bonds of depositaries. Sec. 2, Act of July 9, 1886 (24 Stat. 129).

Bonds, officers'. Act of Mar. 3, 1901 (31 Stat. 1178).

Bonds of treasurers. Act of Aug. 18, 1894 (28 Stat. 412).

Branch homes, establishment, sites for. Sec. 4, Act of Mar. 21, 1866 (14 Stat. 10); Sec. 1, Act of Jan. 23, 1873 (17 Stat. 417); sec. 4830, R. S., and Act of July 7, 1898 (30 Stat. 668).

Branches, officers', qualifications. Sec. 4829, R. S., and Act of Apr. 11, 1892 (27 Stat. 15), as amended by Act of June 28, 1902 (32 Stat. 472).

Citizens as managers. Sec. 4826, R. S.

Duties, board of managers. Sec. 4834, R. S.

Election, board of managers. Sec. 4827, R. S., and Act of Mar. 3, 1901 (31 Stat. 1178).

Estimates. Act of Oct. 2, 1888 (25 Stat. 543).

Estimates, detailed. Act of Mar. 3, 1879 (20 Stat. 390).

Estimates, itemized. Act of Aug. 4, 1886 (24 Stat. 251).

Exemptions of medical officers. Act Feb. 9, 1897 (29 Stat. 517).

Expenditures. Act of Mar. 3, 1887 (24 Stat. 539).

Expenses, board of managers. Sec. 4828, R. S., and Act of Aug. 18, 1894 (28 Stat. 412).

Headquarters established and hereafter to be maintained at the Central Branch, National Military Home, Ohio. Act of July 1, 1916 (39 Stat. 297).

Inmates subject to Articles of War. Sec. 4835, R. S. Held in 1870 unconstitutional. In re Kelly, 71 Fed. Rep. 545.

Insane, building for. Act of Mar. 3, 1881 (21 Stat. 447).

Insane patients. Act of Aug. 7, 1882 (22 Stat. 330).

Jurisdiction recession. Act of Mar. 3, 1901 (31 Stat. 1175).

Laws, documents, and records to be furnished. Sec. 4837, R. S., and Act of July 26, 1894 (28 Stat. 159).

Loss of appropriation where permit sale of intoxicating liquors. *See* Medical Department.

Mail sent free. Act of Aug. 18, 1894 (28 Stat. 412).

Money, how drawn. Act of Mar. 3, 1875 (18 Stat. 359), amended by Act of Mar. 4, 1909 (35 Stat. 1012).

National sanitarium in connection with, at Hot Springs, S. Dak. *See* Medical Department.

New buildings. Act of Mar. 3, 1879 (20 Stat. 390).

Officers not connected with liquor traffic. Act of Mar. 3, 1887 (24 Stat. 540).

Organization. Sec. 4825, R. S.

Outdoor relief. Act of Aug. 23, 1894 (28 Stat. 492).

Pay, rates, classified. Act of Aug. 18, 1894 (28 Stat. 412); Act of Mar. 2, 1895 (28 Stat. 952).

Pensions due inmates paid to treasurers. Act of Aug. 7, 1882 (22 Stat. 322).

Pensions—

Divided with wife. Sec. 4766, R. S., and Act of Mar. 3, 1899 (30 Stat. 1379).

to Inmates, how paid. Sec. 2, Act of Feb. 26, 1881 (21 Stat. 350); Act of July 1, 1902 (32 Stat. 564).

National Homes for Disabled Volunteer Soldiers—Continued.

Persons entitled to benefits. Sec. 4832, R. S., and sec. 5, Act of July 5, 1884 (23 Stat. 121); sec. 2, Act of Mar. 2, 1887 (24 Stat. 444); sec. 5, Act of July 23, 1888 (25 Stat. 341); Act of May 26, 1900 (31 Stat. 217), amended by Act of Mar. 4, 1909 (35 Stat. 1012), sec. 1, Act of June 25, 1910 (36 Stat. 736); and Act of Mar. 3, 1915 (38 Stat. 853).

Purchases—

by Board of Managers. Act of July 1, 1898 (30 Stat. 640).

Supplies, after advertisement. Act Mar. 3, 1879 (20 Stat. 390); Act of June 11, 1896 (29 Stat. 445).

Receipts from sales. Act of Aug. 18, 1894 (28 Stat. 412).

Repairs, funds for. Act of June 4, 1897 (30 Stat. 54).

Salaries, estimates. Act of Aug. 5, 1892 (27 Stat. 384).

Sites, condemnation of land for. Act of July 19, 1897 (30 Stat. 105).

State and Territorial homes to be paid for care of disabled soldiers and sailors. Sec. 4825, R. S., and Act of Aug. 27, 1888 (25 Stat. 450); Act of Apr. 28, 1904 (33 Stat. 504).

States to pay half. Act of Mar. 2, 1889 (25 Stat. 975); Act of Apr. 28, 1904 (33 Stat. 504); Act of May 28, 1908 (35 Stat. 419); Act of May 4, 1909 (35 Stat. 1012).

Supported by appropriations. Sec. 4831, R. S.; Act of Mar. 3, 1875 (18 Stat. 359).

Transfers of inmates. Act of Aug. 23, 1894 (28 Stat. 492).

Transportation at reduced rates. Sec. 9, Act of Mar. 2, 1889 (25 Stat. 855).

Traveling expenses, officers. Act of Aug. 18, 1894 (28 Stat. 412).

Vacancies occurring in membership of board of managers of, not to be filled until the whole number of members of such board is reduced to five, and thereafter the number of members constituting such board shall not exceed five. Act of June 23, 1913 (38 Stat. 43).

National memorial celebration and peace jubilee to be held at Vicksburg, Miss., during 1917, appropriation for, provisions relative to expenditure of, etc. Act of Sept. 8, 1916 (39 Stat. 812).

National military parks:

Antietam battle field—

Locating, preserving, marking, etc., lines of battle. Act of August 30, 1890 (26 Stat. 401); Act of Aug. 5, 1892 (27 Stat. 377); Act of Mar. 3, 1893 (27 Stat. 599); Act of Mar. 2, 1895 (28 Stat. 950); Act of June 11, 1896 (29 Stat. 443).

Secretary of War to have supervision of. Act of Aug. 30, 1890 (26 Stat. 401).

Chickamauga and Chattanooga National Military Park, establishment of and general provisions concerning. Act of Aug. 19, 1890 (26 Stat. 333); Act of Mar. 3, 1891 (26 Stat. 978); Act of Aug. 5, 1892 (27 Stat. 376); Act of Mar. 3, 1893 (27 Stat. 598); Act of Aug. 18, 1894 (28 Stat. 403); Act of Mar. 2, 1895 (28 Stat. 945).

Donation of cannon, etc. Act of Aug. 5, 1892 (27 Stat. 376).

Donation of land for roads. Act of Mar. 3, 1893 (27 Stat. 599).

Injury to monuments, trees, etc.; penalty. Sec. 10, Act of Aug. 5, 1892 (27 Stat. 376).

Leases of lands within. Act of Aug. 5, 1892 (27 Stat. 376).

Location of State monuments. Act of June 4, 1897 (30 Stat. 43).

Restriction on erection of monuments in. Act of Feb. 26, 1896 (29 Stat. 21).

National military parks—Continued.

Chickamauga and Chattanooga National Military Parks, etc.—Continued.

Right of way to Chattanooga Rapid Transit Co. Act of May 7, 1898 (30 Stat. 399).

States may ascertain and mark lines of battle therein. Sec. 8, Act of Aug. 19, 1890 (26 Stat. 333).

Use of material in park in erection of monuments by Statutes. Joint Res. No. 8, Oct. 2, 1893 (28 Stat. 12).

Commissions—

Vacancies occurring by death or resignation in offices of commissioners not to be filled. Act of Aug. 24, 1912 (37 Stat. 442).

Vacancies, until vacation by all members, to be filled by Secretary of War as member ex officio; and after such vacation duties to be performed under the Secretary of War. Id.

Gettysburg National Park—

Acceptance of land from Battlefield Memorial Association. Act of Feb. 11, 1895 (28 Stat. 651).

Acquisition of additional land. Secs. 4, 5, and 9, Act of Feb. 11, 1895 (28 Stat. 651).

Acquisition of lands. Joint Res. No. 30, June 5, 1894 (28 Stat. 584).

Commissioners, compensation, duty, etc. Sec. 3, Act of Feb. 11, 1895 (28 Stat. 651).

Continuing surveys, improvements, etc. Act of Aug. 18, 1894 (28 Stat. 405).

Destroying, injuring, etc., statues, fences, shrubbery, trees, etc.; penalty. Sec. 7, Act of Feb. 11, 1895 (28 Stat. 651).

Erection of monuments. Act of Mar. 3, 1887 (24 Stat. 535); Act of Oct. 2, 1888 (25 Stat. 538); sec. 8, Act of Feb. 11, 1895 (28 Stat. 651).

Improvement of roads, etc. Act of June 10, 1896 (29 Stat. 384).

Lease of lands within. Act of June 4, 1897 (30 Stat. 44).

Monuments and avenues for marking positions of troops, etc. Act of Mar. 3, 1893 (27 Stat. 599).

Purchase of additional lands for. Act of May 12, 1917 (40 Stat. 50).

Secretary of War to provide regulations. Sec. 6, Act of Feb. 11, 1895 (28 Stat. 651).

Specimens of arms, etc., used in battle to be furnished. Act of July 27, 1892 (27 Stat. 276).

Guilford Courthouse National Military Park—

Boundaries of. Sec. 1, Act of Mar. 2, 1917 (39 Stat. 996).

Commissioners for. Sec. 4, id., 997.

Duties of commissioners. Sec. 5, id., 998.

Establishment of. Sec. 1, id., 996.

Mutilation of monuments, etc., on. Sec. 7, id., 998.

Pay of commissioners. Sec. 4, id., 997.

Placed under control of Secretary of War. Sec. 2, id., 997.

Secretary of War may acquire additions to. Sec. 3, id., 997.

States may mark lines of battle, etc., on. Sec. 6, id., 998.

Trespassing upon, etc. Sec. 7, id., 998.

Shiloh National Military Park—

Appropriation for, etc. Sec. 8, Act of Dec. 27, 1894 (28 Stat., 597).

Commissioners, compensation, duty, etc. Secs. 4 and 5, Act of Dec. 27, 1894 (28 Stat. 597).

Condemned cannon balls, etc., to be furnished to. Act of June 11, 1896 (29 Stat. 442).

National military parks—Continued.

Shiloh National Military Park—Continued.

Establishment of, and general provisions. Act of Dec. 27, 1894 (28 Stat. 597).

Injuring or destroying monuments, fences, shrubbery, trees, etc. Sec. 7, Act of Dec. 27, 1894 (28 Stat. 597).

Leases of lands within. Sec. 3, Act of Dec. 27, 1894 (28 Stat. 597).

Location of office, limitation on purchase of land, etc. Act of Mar. 2, 1895 (28 Stat. 945).

Marking lines of battle, etc. Sec. 6, Act of Dec. 27, 1894 (28 Stat. 597).

Vicksburg National Military Park—

Acquisition of lands for. Sec. 2, Act of Feb. 21, 1899 (30 Stat. 841).

Commissioners, duties, salary, etc. Secs. 4 and 5, Act of Feb. 21, 1899 (30 Stat. 842).

Construction of. Sec. 8, Act of Feb. 21, 1899 (30 Stat. 843).

Establishment of, extent, etc. Act of Feb. 21, 1899 (30 Stat. 841).

Injury to monuments, trees, etc.; Penalty. Sec. 7, Act of Feb. 21, 1899 (30 Stat. 843).

Leases of lands within. Sec. 3, Act of Feb. 21, 1899 (30 Stat. 841).

State monuments, erection. Sec. 6, Act of Feb. 21, 1899 (30 Stat. 842).

National parks:

Ejectments from lands purchased for. Sec. 4, Act of Mar. 3, 1897 (29 Stat. 621).

General Grant; employment of military force to prevent trespassers or intruders from destroying the game or objects of curiosity therein. Act of June 6, 1900 (31 Stat. 618).

Penalty for hunting, shooting, trespassing, etc. Act of Mar. 3, 1897 (29 Stat. 621).

Removal of trespassers, etc., from General Grant, Sequoia, and Yosemite. *See* Employment of military force.

Sequoia; employment of military force to prevent trespassers or intruders from destroying the game or objects of curiosity therein. Act of June 6, 1900 (31 Stat. 618).

Yellowstone National Park—

Belongs to judicial district of Wyoming. Sec. 2, Act of May 7, 1894 (28 Stat. 73).

Commissioners, duties of: Trials of offenders, appeals, limits of authority, etc. Secs. 5 and 7, Act of May 7, 1894 (28 Stat. 73).

Deputy marshals and terms of court. Sec. 6, Act of May 7, 1894 (28 Stat. 73).

Employees; appointment, compensation, etc. Act of Mar. 3, 1883 (22 Stat. 626).

Establishment. Sec. 2474, R. S.

Jail and office building. Sec. 9, Act of May 7, 1894 (28 Stat. 73).

Leases within authorized. Act of Aug. 3, 1894 (28 Stat. 222).

Penal provisions relating to hunting, fishing, violation of regulations, etc. Sec. 4, Act of May 7, 1894 (28 Stat. 73).

Protection of fish and game and removal of trespassers, etc. Sec. 2475, R. S.

Punishment of offenses under Wyoming laws. Sec. 3, Act of May 7, 1894 (28 Stat. 73).

Road extensions and improvements to be under Chief of Engineers. Act of June 6, 1900 (31 Stat. 625).

National Parks—Continued.

Yellowstone National Park—Continued.

Secretary of Interior to have control. Sec. 2475, R. S.

Secretary of the Interior to make regulations for management, care, and protection of. Sec. 4, Act of May 7, 1894 (28 Stat. 73).

Under exclusive jurisdiction of the United States. Sec. 1, Act of May 7, 1894 (28 Stat. 73).

Yosemite; employment of military force to prevent trespassers or intruders from destroying the game or objects of curiosity therein. Act of June 6, 1900 (31 Stat. 618).

National Sanitarium, Hot Springs, S. Dak., in connection with National Home for Disabled Volunteer Soldiers. *See* Medical Department.

Native wines, Philippine Islands, sale of, to soldiers, etc. *See* Philippine Islands.

Naturalization:

Alien enemies not admitted. Sec. 2171, R. S.

Aliens of African nativity and descent. Sec. 2169, R. S.; and Act of Feb. 18, 1875 (18 Stat. 318).

Aliens, declared intention, oath, residence, etc. Sec. 2165, R. S.; and Act of Feb. 1, 1876 (19 Stat. 2) replaced by secs. 3 and 4, Act of June 29, 1906 (34 Stat. 596).

Children of naturalized persons. Sec. 2172, R. S., as amended by sec. 5, Act of Mar. 2, 1907 (34 Stat. 1229).

Declaration of intention, how made. Sec. 5, Act of June 29, 1906 (34 Stat. 598).

False certificate of citizenship, penalty. Sec. 74, Act of Mar. 4, 1909, Criminal Code (35 Stat. 1102).

Indians adopting civilized life and allottees. Sec. 6, Act of Feb. 8, 1887 (24 Stat. 390).

Minor residents. Sec. 2167, R. S., replaced by sec. 4, Act of June 29, 1906 (34 Stat. 596).

Petitions filed in term time or vacation. Sec. 6, Act of June 29, 1906 (34 Stat. 598).

Residence required. Sec. 2170, R. S., as amended by sec. 10, Act of June 29, 1906 (34 Stat. 599).

Restrictions, qualifications, procedure, etc. Act of June 29, 1906 (34 Stat. 598).

Widow and dependent children of declarants. Sec. 2168, R. S., replaced by sec. 4, Act of June 29, 1906 (34 Stat. 598).

Naval Academy, United States, appointment of 3 midshipmen at, for each Senator, Representative, and Delegate in Congress, 1 for Porto Rico, 2 for District of Columbia, 10 appointed each year at large, and 15 appointed annually from enlisted men of the Navy. Act of Feb. 15, 1916 (39 Stat. 9).

Naval Militia, District of Columbia, authorization of, etc. *See* Militia.

Naval radio station, Canal Zone. *See* Panama Canal.

Naval radio stations: Lands of the United States under control of a particular department or other branch of the Government that have been or may hereafter be mutually selected as site for naval radio station may be transferred to control and jurisdiction of Navy Department for use as radio stations or other naval purposes. Act of Aug. 29, 1916 (39 Stat. 606).

Naval reservation, Fords (Mokuumeume) Island, island of Oahu, Territory of Hawaii. Transfer of control and jurisdiction over portion of, to War Department for military purposes. Act of Aug. 29, 1916 (39 Stat. 563).

Navasota Transfer Company, relief from contract for forage. Act of May 12, 1917 (40 Stat. 75).

Navigable waters (*see also* Rivers and harbors):

Authority for construction of fishways in. *See* Corps of Engineers.

Bridges, dams, etc., over or across. *See* Corps of Engineers.

Harbor lines, establishment and extension of. *See* Corps of Engineers.

Mississippi River Commission, creation, duties, headquarters of, etc. *See* Corps of Engineers.

Mississippi River, piers and cribs in, snag boats and water gauges on, South Pass of, etc. *See* Corps of Engineers.

Missouri River Commission, composition, creation, duties, etc., of. *See* Corps of Engineers.

New York Harbor, regulations governing, etc. *See* Corps of Engineers.

Obstruction of, by bridges, etc., navigable rivers form public highways, etc. *See* Corps of Engineers.

Porto Rico, permits for construction of works in. *See* Porto Rico.

Public works, unauthorized use of. *See* Corps of Engineers.

Rivers and harbors works, estimates, reports, surveys, etc. *See* Corps of Engineers.

Wharf property, District of Columbia, control of. *See* Corps of Engineers.

Navigation laws, Philippine Islands, administration of, etc. *See* Philippine Islands.

Navigation, obstructions to, penal clauses, removal of sunken vessels, wrecks, etc. *See* Corps of Engineers.

Navy Department:

Fords (Mokuumeume) Island Naval Reservation, island of Oahu, Territory of Hawaii. Transfer of control and jurisdiction over, to War Department. Act of Aug. 29, 1916 (39 Stat. 568).

Puuloa Military Reservation, island of Oahu, Territory of Hawaii. Transfer of control and jurisdiction over, by War Department to, for use for naval purposes. Id. 642.

Navy, detail of officers and enlisted men of Marine Corps and, to serve under Government of Republic of Haiti. Secs. 1-5, Act of June 12, 1916 (39 Stat. 223).

Navy, Fort Bayard Hospital, treatment of officers and men of, at. *See* Medical Department.

Neutrality, ministers of United States in foreign countries may issue writs to prevent enlistment of Americans in military service of foreign governments. Sec. 4090, R. S.

New Panama Canal Co., purchase of rights of. *See* Panama Canal.

New York Harbor, regulations governing, etc. *See* Corps of Engineers.

New York World, Secretary of War authorized to accept fund raised by public subscription by, for construction of electric lighting plant for illumination of the Statue of Liberty on Bedloes Island, New York Harbor. Sec. 5, Act of July 27, 1916 (39 Stat. 411).

Nicaragua Canal, as alternative route, authorized. *See* Panama Canal.

Nicaragua, concessions from. *See* Panama Canal.

Niagara River, extension of time for issuance of temporary permits for diversion of water from, and investigation of water diversion question, etc. Joint Res. of June 30, 1917 (40 Stat. 241).

Noble, Alfred, erection of a memorial fountain to, in public grounds of District of Columbia by American Society of Civil Engineers. J. Res. of May 8, 1916 (39 Stat. 65).

- Nonindebtedness**, Army officers accountable for public property to secure certificates of, before discharge. *See* Public property.
- North Carolina flood sufferers of 1916**, Secretary of War authorized to relieve with food, supplies of Quartermaster and Medical Departments, etc. J. Res. of Aug. 3, 1916 (39 Stat. 434).
- North Dakota, South Dakota, and Minnesota**, consent of Congress to improvement of boundary waters by. Sec. 5, Act of Aug. 8, 1917 (40 Stat. 266).
- Northern Pacific Railroad**, post route and military road. *See* Transportation.
- Nurses, Army**, pensionable status. *See* Pensions.
- Oaths**:
- Pension claims, etc., before authorized officer. *See* Pensions.
 - Philippine Islands, who may administer. *See* Philippine Islands.
 - Postmasters may administer, as to pension matters. *See* Pensions.
- Offenses on high seas, Philippine Islands, jurisdiction over**. *See* Philippine Islands.
- Offenses on military reservations**, not prohibited by Federal law, how punished. *See* Public property.
- Office, right to hold not forfeited on conviction in the juvenile court, District of Columbia**. Act of Apr. 27, 1916 (38 Stat. 56).
- Officers and employees, use of, in affording relief, protection, and transportation to American citizens in Europe, made necessary by existing political disturbances**. *See* Europe.
- Officers, use of names of for advertising purposes by attorneys practicing before executive departments**. Act of Apr. 27, 1916 (29 Stat. 54).
- Official business, subsistence allowance to be paid to persons traveling outside the District of Columbia on**. *See* District of Columbia.
- Ohio River improvement as to locks and dams, etc., not placed under jurisdiction of the Mississippi River Commission in the extension of the jurisdiction of the commission to certain tributaries of Mississippi River**. Act of July 27, 1916 (39 Stat. 402).
- Ohio Valley flood of March, 1913, relief of lessees of waterpower on Muskingum River, Ohio, whose property was destroyed by**. *See* Corps of Engineers.
- Oklahoma, reimbursement for camp, etc., expenses, 1910, 1911**. Act of May 12, 1917 (40 Stat. 66).
- Oklawaha River, Fla.**:
- Transfer of title to the United States to the "Kyle and Young Canal" and the "Morrison Landing extension" of the same, etc. Act of July 27, 1916 (39 Stat. 396).
 - Canal to become a public waterway of the United States. *Id.*
- Ordnance and ordnance stores**:
- Issue to the militia, credit to appropriation for. *See* Militia.
 - Replacing stores carried into war with Spain. *See* Militia.
 - Sale of rifles, etc., to Cuba. *See* Cuba.
- Palace of Fine Arts, permit to Panama-Pacific International Exposition, and its successors in interest, to occupy portion of Presidio of San Francisco Military Reservation, Cal., with**. Act of Aug. 29, 1916 (39 Stat. 637).
- Extension of cession of jurisdiction to State of California over part so occupied during such occupancy, and to terminate on revocation of permit, etc.** *Id.*
- Failure to remove the buildings on revocation of the permit to vest title to them in the United States**. *Id.* 638.
- Transfer of site of to California University in exchange for other lands**. Act of May 12, 1917 (40 State. 57).

Panama Canal. *See also* Isthmian Canal Commission.

Acquisition of right of way from Republic of Colombia. Secs. 2 and 3, Act of June 28, 1902 (32 Stat. 481).

Advertising, unserviceable equipment, etc., may be sold without. Sec. 8, Act of Aug. 1, 1914 (38 Stat. 679).

Alternative route authorized. Sec. 4, Act of June 28, 1902 (32 Stat. 482).

American legation building at Panama, transfer of, without charge to jurisdiction of Secretary of State. Act of July 1, 1916 (39 Stat. 334).

Appropriation for property of canal company and for right of way. Sec. 3, Act of June 28, 1902 (32 Stat. 482).

Appropriations heretofore, herein, and hereafter made, with certain exceptions, to be paid from or reimbursed to the United States Treasury from proceeds of sales of bonds. Act of July 1, 1916 (39 Stat. 334).

Appropriations. Sec. 5, Act of June 28, 1902 (32 Stat. 483).

for Construction available for payment of obligations of canal commission. Sec. 4, Act of May 27, 1908 (35 Stat. 387).

to Continue. Sec. 2, Act of Dec. 21, 1905 (34 Stat. 5).

Bonds—

on Circulating notes of national banks based on deposit of. Act of Dec. 21, 1905 (34 Stat. 5).

to Defray expenses, issue, interest, exemption from taxation. Sec. 8, Act of June 28, 1902 (32 Stat. 484); Act of Dec. 21, 1905 (34 Stat. 5); sec. 39, Act of Aug. 5, 1909 (36 Stat. 117).

Proceeds of sales of, available for reimbursement of Treasury for, or payment of expenditures from appropriations heretofore, herein, or hereafter made. Act of July 1, 1916 (39 Stat. 334).

Provisions against use as security for national-bank circulating notes. Act of Mar. 2, 1911 (36 Stat. 1013).

Reimbursement of expenditures from sale of. Act of Aug. 5, 1909 (36 Stat. 117); Act of Mar. 4, 1911 (36 Stat. 1450).

Rights and privileges of. Act of Dec. 21, 1905 (34 Stat. 5).

Building for Government exhibit on Presidio of San Francisco. *See* Panama-Pacific International Exposition.

Use of building at close of exposition. *See* Panama-Pacific International Exposition.

Canal Zone—

Automobiles, penalty for operating in violation of regulations for licensing and taxing. Sec. 5, Act of Aug. 21, 1916 (39 Stat. 528).

Breach of the peace, unlawful to commit a. Sec. 4, *id.*

Business or trade, penalty for conducting in violation of regulations relative to. Sec. 5, *id.*

Civil government of, general provisions. Sec. 7, Act of Aug. 24, 1912 (37 Stat. 564).

District courts established, rules, procedure. Sec. 8, *id.*

Governor, appointment of. Sec. 4, *id.*

United States citizens, magistrates, and constables. Sec. 7, *id.*

Consolidation of zone government, railroad, and canal funds. Sec. 1, Act of Aug. 1, 1914 (38 Stat. 679).

Consular officers of United States in foreign ports, powers of, in respect to seamen conferred on shipping commissioner, etc. Sec. 9, Act of Aug. 21, 1916 (39 Stat. 529).

Customs duties, laws applicable to imports from. Act of Mar. 2, 1905 (33 Stat. 843).

Panama Canal. *See also* Isthmian Canal Commission—Continued.
Canal Zone—Continued.

Customs duties on imports from, reappropriated for construction. Sec. 5, Act of May 27, 1908 (35 Stat. 387).

Customs officers, fees of, for certificates, etc., or notarial service. Sec. 8, Act of Aug. 21, 1916 (39 Stat. 528).

Deposit money orders, interest on payable from bank interest on money-order funds. Sec. 7, *id.*

Deposit money orders issued in lieu of postal savings certificates to bear interest. Sec. 6, *id.*

Disorderly, indecent, or immoral conduct, unlawful to engage in or permit. Sec. 4, *id.*

Docks, storehouses, etc., establishment of. Sec. 6, Act of Aug. 24, 1912 (37 Stat. 564).

Extent of; acquirement of additional land. Act of Aug. 24, 1912 (37 Stat. 560).

Fees of customs officers for certificates or notarial service. Sec. 8, Act of Aug. 21, 1916 (39 Stat. 528).

Health regulations to be prescribed by President. Sec. 1, *id.* 527.

Immigration regulations as to persons entering or passing over. Sec. 10, *id.* 529.

Detention and return of persons entering in violation of regulations. *Id.*

Fine imposed on vessels for violation of regulations. *Id.*

Penalty for violation of regulations. *Id.*

Vessels required to return persons, withholding of clearance, etc. *Id.*

Immoral, indecent, or disorderly conduct, unlawful to engage in or permit. Sec. 4, *id.* 528.

Injury or obstruction to Panama Canal or locks. Sec. 10, *id.* 529.

Penalty for. *Id.*

Penalty for, where act causes death of any person. *Id.*

Interest, deposit money orders issued in lieu of postal saving certificates to bear. Sec. 6, *id.* 528.

Interest on deposit money orders to be paid from bank interest on money order funds. Sec. 7, *id.*

Land, survey of. Sec. 4, Act of Feb. 27, 1909 (35 Stat. 658).

Leases of public lands in. Secs. 1, 2, 3, *id.*

Naval radio stations, establishment of. Sec. 6, Act of Aug. 24, 1912 (37 Stat. 563).

Not embraced by term "United States" in immigration act. Sec. 33, Act of Feb. 20, 1907 (34 Stat. 908).

Notarial service, fees of customs officers for performing. Sec. 8, Act of Aug. 21, 1916 (39 Stat. 528).

Police power, rules and regulations for asserting and exercising. Sec. 4, Act of Aug. 21, 1916 (39 Stat. 528).

Police regulations, penalty for violating. Sec. 5, *id.*

Possession and occupation. Act of Apr. 28, 1904 (33 Stat. 429).

Postal savings certificates, deposit money orders issued in lieu of, to bear interest. Sec. 6, Act of Aug. 21, 1916 (39 Stat. 528).

Postal service losses, payable from bank interest on money order funds. Sec. 7, *id.*

Quarantine regulations to be prescribed by President. Sec. 1, *id.* 527.

Penalty for violating. *Id.*

Panama Canal. See also Isthmian Canal Commission—Continued.

Canal Zone—Continued.

Revenues, distribution of. Sec. 2, Act of Aug. 1, 1914 (38 Stat. 678).

Right to remain in or pass over; regulated by governor. Sec. 10, Act of Aug. 24, 1912 (37 Stat. 564).

Roads and highways, regulations for use of. Sec. 3, Act of Aug. 21, 1916 (39 Stat. 528).

Automobile taxes may be graded according to value or power of machine. Id.

Licensing and taxing operation of self-propelled vehicles. Id.

Republic of Panama, mutual agreement with, for reciprocal use of. Id.

Speed limit, signals, tags, license fees, etc., for self-propelled vehicles. Id.

Vehicles, self-propelled, regulations for operation of. Id.

Sanitary regulations to be prescribed by the President. Sec. 1, id, 527.

Penalty for violating. Id.

Seamen of vessels, powers of consular officers as to, when on foreign voyages conferred on shipping commissioner, etc. Sec. 9, id. 529.

Shelter, temporary, of troops on. Use of portion of appropriation for acquisition of site and construction of supply depots at Fort Sam Houston, Tex., for providing. Act of Aug. 29, 1916 (39 Stat. 636).

No part of moneys so appropriated to be used for payment of commutation of fuel or quarters to officers or enlisted men. Id.

Shipping commissioner and deputy shipping commissioners, powers of United States consuls in foreign ports as to American seamen conferred on. Sec. 9, Act of Aug. 21, 1916 (39 Stat. 529).

Taxes, ad valorem, excise, license, and franchise. President to change regulations for levying, assessing, and collecting. Sec. 2, id. 528.

Ad valorem taxes, maximum rate of. Id.

Excise taxes, maximum rate of. Id.

Franchise taxes, maximum rate of. Id.

Taxes, penalty for conducting business, etc., in violation of regulations relative to. Sec. 5, id.

Temporary government. Sec. 2, Act of Apr. 28, 1904 (33 Stat. 429).

Vehicles, self-propelled, penalty for operation of, in violation of regulations for licensing and taxing. Sec. 5, Act of Aug. 21, 1916 (39 Stat. 528).

Capacity. Sec. 3, Act of June 28, 1902 (32 Stat. 482).

Consolidation of Zone government, railroad and canal funds. Sec. 1, Act of Aug. 1, 1914 (38 Stat. 679).

Contracts for. Sec. 5, Act of June 28, 1902 (32 Stat. 483); sec. 6, Act of Mar. 4, 1906 (34 Stat. 1370); Act of Aug. 5, 1909 (36 Stat. 130).

Costa Rica and Nicaragua; concessions to be obtained from. Sec. 4, Act of June 28, 1902 (32 Stat. 482).

Deduction from pay for amounts due from employees. Sec. 8, Act of Mar. 4, 1907 (34 Stat. 1371).

Defense, etc. Sec. 3, Act of June 28, 1902 (32 Stat. 482).

Employees, number and compensation not to be increased above the provision for, in annual Book of Estimates except in cases of emergency and other specified exceptions noted in the provision. Act of July 1, 1916 (39 Stat. 334).

Employment of persons for; compensation. Sec. 3, Act of June 28, 1902 (32 Stat. 482).

Panama Canal. See also Isthmian Canal Commission—Continued.

Estimates, detailed, to be submitted hereafter. Sec. 6, Act of Aug. 1, 1914 (38 Stat. 679).

Estimates, number and compensation of employees not to be increased above provision for, in Annual Book of, except in cases of emergency and other specified exceptions. Act of July 1, 1916 (39 Stat. 334).

Foreign officials, entertainment of, in connection with Panama-Pacific International Exhibition. See Panama-Pacific International Exhibition.

Guaranty of use of canal and harbors to country ceding rights. Sec. 6, Act of June 28, 1902 (32 Stat. 483).

Harbors. Sec. 3, Act of June 28, 1902 (32 Stat. 482).

Injuries to, punishment. Sec. 10, Act of Aug. 24, 1912 (37 Stat. 564).

Isthmian Canal Commission, duties, etc., of. See Corps of Engineers.

Joint land commission shall not have jurisdiction over any claim arising under any lease or contract for occupancy heretofore or hereafter made by the Panama Railroad Co. of land or property owned by it. Sec. 2, Act of July 1, 1916 (39 Stat. 336).

Leaves of absence to employees. Act of Feb. 24, 1909 (35 Stat. 645).

Liability of common carriers for injuries to employees. Secs. 2 to 8, Act of Apr. 22, 1908 (35 Stat. 65).

Lock canal to be constructed. Act of June 29, 1906 (34 Stat. 611).

Material and equipment for, domestic manufacture. Joint Res. No. 35, June 25, 1906 (34 Stat. 835).

Moneys received from services, supplies, etc., disposition of. Sec. 3, Act of Aug. 1, 1914 (38 Stat. 678).

Navy, steamships *Ancon* and *Cristobal*, not to be transferred to. Act of July 1, 1916 (39 Stat. 334).

New Panama Canal Co., purchase of lands and rights from, authorized. Act of June 28, 1902 (32 Stat. 481).

Nicaragua Canal, as alternative route, authorized. Sec. 4, Act of June 28, 1902 (32 Stat. 482).

"Panama Canal act." Act of Aug. 24, 1912 (37 Stat. 560).

Panama, payment to. Act of Apr. 28, 1904 (33 Stat. 429).

Panama Railway Co., purchase of capital stock of. Act of June 28, 1902 (32 Stat. 481).

Contracts with Army and Navy; form, duration, bond. Sec. 6, Act of Mar. 4, 1911 (36 Stat. 1452).

Insurance, payment of notes. Sec. 2, act of Mar. 4, 1911 (36 Stat. 1451).

Joint land commission, shall not have jurisdiction over any claim arising under any lease or contract for occupancy heretofore or hereafter made by the Panama Railroad Co. of land or property owned by it. Sec. 2, Act of July 1, 1916 (39 Stat. 336).

Payment of annual subsidy not required. Act of June 25, 1910 (36 Stat. 772).

Provisions relating to construction of canal works, etc., not applicable to. Sec. 6, Act of Mar. 3, 1909 (35 Stat. 818).

Public property, unserviceable equipment, etc., may be sold without advertising. Sec. 8, Act of Aug. 1, 1914 (38 Stat. 679).

Purchase of rights, etc., of New Panama Canal Co. Act of June 28, 1902 (32 Stat. 481).

Registry American ships, general provisions. Sec. 5, Act of Aug. 24, 1912 (37 Stat. 562).

- Panama Canal. See also Isthmian Canal Commission—Continued
 Reports as to construction, accounts of receipts, etc. Sec. 3, Act of Dec. 21, 1905 (34 Stat. 5).
- Republic of Colombia, right of way from. Secs. 2 and 3, Act of June 28, 1902 (32 Stat. 481).
- Revenues, distribution of. Sec. 2, Act of Aug. 1, 1914 (38 Stat. 678).
- Sales of construction material, etc., disposition of receipts from. Sec. 3, Act of Aug. 1, 1914 (38 Stat. 678).
- Steamships *Ancon* and *Cristobal* not to be transferred to the Secretary of Navy, as provided for in Act of May 27, 1908. Act of July 1, 1916 (38 Stat. 334).
- Tolls, basis of. Sec. 5, Act of Aug. 24, 1912 (37 Stat. 562).
- Basis of. Minimum modified. Sec. 2, Act of June 15, 1914 (38 Stat. 386).
- Exemption of coastwise vessels repealed. Sec. 1, Act of June 15, 1914 (38 Stat. 385).
- President to prescribe changes in. Sec. 5, Act of Aug. 24, 1912 (37 Stat. 562).
- Unit cost of construction work. Sec. 8, Act of Aug. 1, 1914 (38 Stat. 679).
- Unserviceable equipment, etc., may be sold without advertising. Sec. 8, Act of Aug. 1, 1914 (38 Stat. 679).
- Panama-California Exposition, detail of Army officer, on active or retired list, with. See Details of Army officers.
- Panama-California Exposition, transfer of Government exhibit from the Panama-Pacific International Exposition to, making available unexpended part of appropriation for, and the law constituting a Government exhibit board, authorizing detail of civilians and Army and Navy officers, etc. J. Res. of Dec. 17, 1915 (39 Stat. 2).
- Panama-California International Exposition, transfer of Government exhibit at close of, to the Mississippi Centennial Exposition at Gulfport, Miss. Sec. 1, J. Res. of Sept. 8, 1916 (39 Stat. 854).
- Government exhibit board authorized to repair and rearrange Government exhibit before transferring it to the Mississippi Centennial Exposition. Sec. 3. Id. 855.
- Laws or parts of laws relating to the Government exhibit, a Government exhibit board, including detail of civilians and Army and Navy officers, continued and made applicable to the Mississippi Centennial Exposition. Sec. 2. Id. 854.
- United States not responsible for any bond, debt, contract, etc., in connection with or growing out of said exposition. Id. 855.
- Panama-Pacific International Exposition:
- Building for Government exhibit. Act of Aug. 1, 1914 (38 Stat. 667).
- Cession of jurisdiction to State of California over portions of the Presidio of San Francisco and Fort Mason Military Reservations used for exposition purposes during such occupancy. J. Res. 53 of Oct. 22, 1914 (38 Stat. 783).
- Construction of, on Presidio of San Francisco Military Reservation. Act of Aug. 1, 1914 (38 Stat. 667).
- Detail of Army officer, on active or retired list, with. See Details of Army officers.
- Details of Army and Navy officers with, permitted, allowances in lieu of transportation and mileage, etc. Act of June 23, 1913 (38 Stat. 76).
- Entertaining foreign officials, etc., at. Act of Aug. 1, 1914 (38 Stat. 667).

Panama-Pacific International Exposition—Continued.

Palace of Fine Arts, company or its successors in interest, authorized to occupy portion of Presidio of San Francisco Military Reservation, Cal., with. Act of Aug. 29, 1916 (39 Stat. 637).

Extension of cession of jurisdiction to State of California over part to be so occupied during such occupancy, and to terminate on revocation of the permit, etc. *Id.*

Failure to remove the buildings on revocation of the permit to vest title to them in the United States. *Id.* 638.

Use of building at close of exposition. Act of Aug. 1, 1914 (38 Stat. 667).

Panama Railroad, consolidation of the Zone Government, canal fund, and. *See* Panama Canal.

Panama Railway Company, purchase of capital stock of. *See* Panama Canal.

Panama, Republic of, payment to. *See* Panama Canal.

Pan American Exposition. *See* Texas Bicentennial and.

Park system,* District of Columbia:

Filled-in canal spaces, etc., added to. *See* Corps of Engineers.

Potomac Park made part of. *See* Corps of Engineers.

Parole of military prisoners. *See* Federal prisoners.

Parole of United States prisoners, Federal parole law. Act of June 25, 1910 (36 Stat. 819), as amended by Act Jan. 23, 1913 (37 Stat. 650).

Pay Department, appointments in, from volunteers. Act of Mar. 2, 1901 (31 Stat. 900).

Peace officers, Philippine Islands, Army officers as attorneys and. *See* Philippine Islands.

Penitentiary, persons convicted in courts of District of Columbia and sentenced to confinement for more than one year may be confined in District Reformatory instead of. Act of Sept. 1, 1916 (39 Stat. 711).

Pensions:

Abandonment of children or immoral conduct by widow forfeits. Sec. 4706, R. S.

Accrued. Sec. 4710, R. S.

Accrued. Act of June 3, 1884 (23 Stat. 35); and Act of Mar. 1, 1889 (25 Stat. 782).

Affidavits, false or post-dated vouchers, penalty. Sec. 4746, R. S.

Agencies in three groups. Sec. 2, Act of Mar. 3, 1891 (26 Stat. 1082).

Agents, appointment and term of office. Sec. 4778, R. S.

Agents, bonds. Sec. 108, Act of Mar. 4, 1909, Criminal Code (35 Stat. 107).

Army nurses. Act of Aug. 5, 1892 (27 Stat. 348).

Arrears, commencement. Sec. 1, Act of Jan. 25, 1879 (20 Stat. 265).

Arrears, payment. Sec. 4711, R. S.

Assignment, pledge or transfer void. Sec. 4745, R. S.

Attachment, not liable to. Sec. 4747, R. S.

Attorneys' fees. Sec. 3, Act of July 4, 1884 (23 Stat. 99); sec. 4, Act of June 27, 1890 (26 Stat. 183); Act of May 28, 1908 (35 Stat. 419); sec. 3, Act of Apr. 19, 1908 (35 Stat. 64).

Amounts to be filed. Sec. 4, Act of July 4, 1884 (23 Stat. 99).

Deducted by agent. Sec. 4769, R. S.

Certain pensions equalized. Act of June 6, 1874 (18 Stat. 61).

Certificate and attorneys' fees. Sec. 4768, R. S.

Certificate of official character of officers without seal. Joint Res. No. 43, Sept. 1, 1890 (23 Stat. 679).

Check to order of each pensioner. Sec. 4765, R. S.

Children, legitimate. Sec. 4704, R. S.

Pensions—Continued.

Citizenship. Act of Feb. 3, 1892 (27 Stat. 429).

Civil examining surgeons. Sec. 4777, R. S., as amended by Act of May 28, 1908 (35 Stat. 419).

Civil service. Act of Mar. 1, 1879 (20 Stat. 327); Act of June 6, 1866 (14 Stat. 57); Act of Mar. 4, 1909 (35 Stat. 1058).

Claimant may inspect surgeon's report. Act of July 18, 1894 (28 Stat. 113), as amended by Act of May 28, 1908 (35 Stat. 419).

Claims exempt from revenue stamps. Act of June 13, 1898 (30 Stat. 462).

Claims, removal of limitations of prosecution. Sec. 3, Act of Jan. 25, 1879 (20 Stat. 265).

Commencement. Act of Mar. 6, 1896 (29 Stat. 45); sec. 1, Act of July 1, 1902 (32 Stat. 750).

Commencement in wars prior to Mar. 4, 1861. Sec. 4713, R. S.

Commissioner. Sec. 470, R. S.

Duties. Sec. 471, R. S.

Assistant. Sec. 472, R. S.

Continuance. Sec. 4733, R. S.

Deafness, increase of rate. Act of Aug. 27, 1888 (25 Stat. 449).

Death of pensioner. Sec. 4765, R. S.

Death, proof of. Act of Mar. 13, 1896 (29 Stat. 57).

Declarations in foreign countries. Sec. 2, Act of July 26, 1892 (27 Stat. 272).

Declarations. Sec. 1, Act of July 26, 1892 (27 Stat. 272).

Dependent parents. Sec. 1, Act of June 27, 1890 (26 Stat. 182).

Deserters, not so deemed. Sec. 4749, R. S., as amended by Joint Res. of June 28, 1906 (34 Stat. 836).

Disloyalty a bar to. Sec. 4716, R. S., as amended by sec. 5, Act of Jan. 29, 1887 (24 Stat. 371), and sec. 6, Act of July 27, 1892 (27 Stat. 281); amended by sec. 1, Act of July 1, 1902 (32 Stat. 750).

Disloyalty removed in certain cases. Acts of Aug. 1, 1892 (27 Stat. 340), and Apr. 18, 1900 (31 Stat. 136); also Act of Mar. 3, 1899 (30 Stat. 1379).

Repealed (sec. 4716, R. S.). Act of Aug. 29, 1916 (39 Stat. 649).

Embezzlement by guardian. Secs. 4783, 5486, R. S.; Act of Feb. 10, 1891 (26 Stat. 746).

Examination fees. Act of Apr. 4, 1900 (31 Stat. 61); replaced by Act of May 28, 1908 (35 Stat. 419).

Expert surgeons. Act of July 25, 1882 (22 Stat. 176).

False affidavit. Sec. 4746, R. S.

Fees for increase, \$2. Act of Mar. 3, 1891 (26 Stat. 1082).

no fee to agent, etc. Sec. 2, Act of Aug. 5, 1892 (27 Stat. 348).

None in arrears. Sec. 4, Act of July 4, 1884 (23 Stat. 99).

Hands, loss of both, increase. Act of Feb. 12, 1889 (25 Stat. 659).

Increase of. Act of June 16, 1880 (21 Stat. 281).

Increase for loss of limbs. Act of Aug. 4, 1886 (24 Stat. 220), amended by Act of Mar. 2, 1903 (32 Stat. 944.)

Increase not to commence prior to date of surgeon's certificate. Sec. 4698½, R. S.

Increase of rate. Act of June 18, 1874 (18 Stat. 78).

Indian wars prior to 1842. Act of July 27, 1892 (27 Stat. 281); Act of June 27, 1902 (32 Stat., 399); Act of May 30, 1908 (35 Stat. 553).

Indian wars, survivors of certain, from January 1, 1859, to January, 1891. Secs. 1-3, Act of Mar. 4, 1917 (39 Stat. 1199).

Pensions—Continued.

Inmates, National Homes for Disabled Volunteer Soldiers, how paid. *See* National Homes for Disabled Volunteer Soldiers.

Inspection of agencies. Act of Aug. 8, 1882 (22 Stat. 373).

Instructions free of charge. Sec. 4748, R. S.

Invalid, dependent soldiers. Sec. 2, Act of May 9, 1900 (31 Stat. 170); Act of Feb. 6, 1907 (34 Stat. 897); Act of Mar. 4, 1907 (34 Stat. 1406).

Investigation of fraud. Sec. 474, S. R.

Investigating officers may administer oaths. Sec. 3, Act of Mar. 3, 1891 (26 Stat. 1083).

Legal disabilities. Sec. 4766, R. S.

Loss of arm at shoulder joint. Act of Mar. 3, 1885 (23 Stat. 437).

Loss of both hands, feet, or eyes. Act of June 17, 1878 (20 Stat. 144); amended by Act of Apr. 8, 1904 (33 Stat. 163).

Loss of leg at hip joint. Act of Mar. 3, 1879 (20 Stat. 483).

Loyalty—

Provisions of sec. 4716, R. S., not applicable to survivors of certain Indian wars. Sec. 3, Act of Mar. 4, 1917 (39 Stat. 1201).

Repealed. Sec. 4617, R. S. Act of Aug. 29, 1916 (39 Stat. 649).

Marriage, proof of. Act of Aug. 7, 1882 (22 Stat. 345).

Marriage must be proven legal. Sec. 2, Act of Aug. 7, 1882 (22 Stat. 345).

Medical referee and examining surgeon. Sec. 4776, R. S.

Mexican War, increased to \$12 per month. Act of Jan. 5, 1893 (27 Stat. 413).

Mexican War. Sec. 4730, R. S.

Minimum rate, \$6 per month. Act of Mar. 3, 1895 (28 Stat. 704).

Missouri Militia. J. Res. No. 13, Feb. 15, 1895 (28 Stat. 970).

Not to be withheld. Sec. 4734, R. S.

Oaths, before authorized officers. Act of July 1, 1890 (26 Stat. 209).

Oaths by officers, fee. Act of June 7, 1888 (25 Stat. 174); Act of Mar. 1, 1889 (25 Stat. 782); and Act of Mar. 23, 1896 (29 Stat. 74).

One at a time. Sec. 4715, R. S.

Pay and, not allowed persons in Army, Navy, or Marine Corps, unless, etc. Sec. 4724, R. S.

Payment by check. Act of June 30, 1890 (26 Stat. 187).

Payments by attorneys to pensioners in foreign countries prohibited. Act of Mar. 14, 1898 (30 Stat. 276).

Permanent specific disability prior to June 4, 1872. Sec. 4697, R. S.

Persons receiving special pension not to receive any other relief. Sec. 5, Act of July 25, 1882 (22 Stat. 176); Act of Mar. 4, 1909 (35 Stat. 1058).

Postmasters, fourth class, may administer oaths. Act of Aug. 23, 1894 (28 Stat. 499).

Presumption as to disability at enlistment. Act of Mar. 3, 1885 (23 Stat. 361).

Rate for dependent widow and minor children. Sec. 3, Act of May 9, 1900 (31 Stat. 171); amended by sec. 2, Act of Apr. 19, 1908 (35 Stat. 64).

Rate increased to \$12 per month to all survivors. Act of Apr. 23, 1900 (31 Stat. 137); Act of Mar. 3, 1903 (32 Stat. 1228).

Rate of arrears. Act of Mar. 3, 1879 (20 Stat. 470).

Sixty days' service in Mexican War or personally named by Congress for specific service in that war. Act of Jan. 29, 1887 (24 Stat. 371).

Special examinations. Sec. 3, Act of June 21, 1879 (21 Stat. 30).

Special investigation of fraud. Sec. 4744, R. S.

Surgeons, appointment. Sec. 4, Act of July 4, 1882 (22 Stat. 175).

Pensions—Continued.

Surgeons' reports. Act of Dec. 22, 1896 (29 Stat. 479); amended by Act of May 28, 1908 (35 Stat. 419).

Suspension of, notice. Act of Dec. 21, 1893 (28 Stat. 18).

Total blindness. Act of Mar. 3, 1879 (20 Stat. 484).

Unclaimed. Sec. 4719, R. S.

Vouchers. Sec. 4767, R. S.

to Pensioners quarterly. Sec. 4764, R. S.

Widows and children of pensioners of War of 1812 and Indian wars. Sec. 473, R. S.

Widows, commence from date of death of husband. Act of June 7, 1888 (25 Stat. 173).

Widow not to receive for same time husband had received same. Sec. 4735, R. S.

Widows of colored and Indian soldiers. Sec. 4705, R. S.

Widows of soldiers of Mexican War. Sec. 4731, R. S.

Per diem subsistence allowance for persons traveling on official business outside District of Columbia. *See* District of Columbia.

Philippine Islands:

Acquisition of privately owned land for military purposes. Sec. 7, Act No. 627, Philippine Commission, enacted Feb. 9, 1903, as amended by sec. 1, Act No. 806, Philippine Commission, enacted July 24, 1903.

Action for enforcement of right of eminent domain on behalf of United States, how instituted. Sec. 2, Act No. 665, Philippine Commission, enacted Mar. 5, 1903.

Appointment to civil service, preference to be given, among those eligible, to certain named classes. Sec. 6, Act No. 1698, Philippine Commission, enacted Aug. 26, 1907.

Army to aid civil authorities whenever called upon by latter. Sec. 7, Act No. 83, Philippine Commission, enacted Feb. 6, 1901, as amended by sec. 21, Act No. 175, Philippine Commission, enacted July 18, 1901, and sec. 1, Act No. 255, enacted Oct. 3, 1901.

Army officers as attorneys. Sec. 1, Act No. 856, Philippine Commission, enacted Aug. 27, 1903.

Army officers as peace officers, authority of. Sec. 20, Act No. 787, Philippine Commission, enacted June 1, 1903, providing for organization and government of Moro Province, as amended by sec. 11, Act No. 1283, Philippine Commission, enacted Jan. 13, 1905; sec. 1, Act No. 1797, Philippine Commission, enacted Oct. 12, 1907.

Arrest on reservations, etc. Sec. 7, Act No. 530, Philippine Commission, Nov. 24, 1902.

Autonomous form of government, Act of Aug. 29, 1916, providing for more—

Accused, rights of, in criminal prosecutions. Sec. 3, *id.* (39 Stat. 546).

Appropriations for support of government, method of meeting expenses on failure to make. Sec. 19, *id.* 551.

Appropriations, money not to be paid out of the treasury except in pursuance of. Sec. 3, *id.* 546.

Assessments, taxes and internal taxes may be imposed. Sec. 11, *id.* 548.

Bail, excessive not to be required. Sec. 3, *id.* 546.

Bill of attainder, enactment of forbidden. *Id.*

Bill to be enacted into law not to embrace more than one subject. *Id.*

Subject to be expressed in its title. *Id.*

Philippine Islands—Continued.

Autonomous form of government, Act of Aug. 29, 1916, providing for more—Continued.

Bonds, issuance of, by Philippine Government, or provisional or municipal governments. Sec. 11, id. 548.

Bonds, release of prisoners on, prior to conviction, except for capital offenses. Sec. 3, id. 546.

Capital offenses, no release on bond of prisoners charged with. Id.

Citizens, designation of persons deemed and held to be. Sec. 2, id.

Legislature to provide for acquisition of citizenship by certain natives, etc. Id.

Persons who elected to retain allegiance to Crown of Spain excepted. Id.

Contract, no law impairing obligation of, to be enacted. Sec. 3, id.

Courts, designation, etc., of. Sec. 26, id. 555.

Court of first instance, jurisdiction of. Id.

Appointment of judges of. Id.

Municipal courts, jurisdiction of. Id.

Supreme court, jurisdiction of. Id.

Appointment of judges of. Id.

no Judgment or decree rendered by, after certain date, to be examined or reviewed by the U. S. Supreme Court upon writ of error or appeal, but it may require the case to be certified to it by certiorari or otherwise. Sec. 5, Act of Sept. 6, 1916 (39 Stat. 727).

Jurisdiction of Supreme Court of United States to review, etc. Id.

Supreme Court of United States, jurisdiction to review, etc. Sec. 26, Act of Aug. 29, 1916 (39 Stat. 555).

Criminal offenses, persons not to be held to answer for, without due process of law. Sec. 3, id. 546.

Currency and coinage, acts of legislature relative to, must be approved by the President. Sec. 10, id. 548.

Time limit for his approval or disapproval. Id.

Debt, no person shall be imprisoned for. Sec. 3, id. 546.

Declaration of purpose of people of United States as to future political status of. Preamble, Act of Aug. 29, 1916 (39 Stat. 545).

Domestic affairs, larger control of, in hands of people. Preamble, Act of Aug. 29, 1916 (39 Stat. 545).

Executive departments, composition and duties of. Sec. 22, id. 553.

Appointment of auditor by the President. Sec. 24, id.

Administrative jurisdiction over accounts, etc., exclusive. Id.

Appeal in writing to Governor General from decision of. Sec. 25, id. 554.

Disapproval by Governor General to be forwarded for final decision of Secretary of War. Sec. 25, id.

Duties of auditor. Sec. 24, id. 553.

Governor General to have general supervision over. Id.

Appointment of deputy auditor by the President. Sec. 24, id.

Transfer of bureaus to department of interior. Sec. 23, id.

Executive power vested in the Governor General. Sec. 21, id. 552.

Appointment of. Id.

Appointment of vice governor. Sec. 23, id. 553.

Philippine Islands—Continued.

Autonomous form of government, Act of Aug. 29, 1916, providing for more—Continued.

Executive power vested in the Governor General. Sec. 21, id. 552.—Continued.

Designation of head of executive departments to act as Governor General. Id.

Duties of. Sec. 21, id. 552.

Expenses incurred for government of, for internal improvements, etc., to be paid by. Sec. 4, id. 547.

Export duties not to be levied or collected on exports from the islands. Sec. 11, id. 548.

Ex post facto law, enactment of, forbidden. Sec. 3, id. 546.

Fines, excessive, not to be imposed. Id.

Foreign powers, officials not to accept presents, etc., from. Id.

Franchises and privileges, license fees for granting. Sec. 11, id. 548.

Freedom of press not to be abridged. Sec. 3, id. 546.

Freedom of speech not to be abridged. Id.

Governor General, appointment of. Sec. 21, id. 552.

Duties, etc., of. Id.

Habeas corpus, suspension of privilege of writ of. Sec. 3, id. 546.

Immigration laws, acts of legislature relative to, must be approved by President. Sec. 10, id. 548.

Time limit for approval or disapproval by. Id.

Indebtedness, maximum amount to be incurred by Philippine Government. Sec. 11, id. 548.

Indebtedness, maximum amount to be incurred by Provinces or municipalities. Id.

Independence to be recognized as soon as stable government can be established. Preamble, Act of Aug. 29, 1916 (39 Stat. 545).

Involuntary service, except as punishment for crime, not to exist. Sec. 3, id. 546.

Jeopardy, not to be twice placed in, for same offense. Id.

Laws enacted by legislature to be reported to Congress, which has power to annul. Sec. 19, id. 551.

Laws now in force to remain in force until amended or repealed by the legislature or by Congress. Sec. 6, id. 547.

Laws of United States hereafter enacted not to apply to, unless they so state. Sec. 5, id.

Legislative power, general, vested in a legislature consisting of two houses. Sec. 12, id. 548.

Bills passed, method of approval or disapproval by Governor General or the President. Sec. 19, id. 551.

Designation to be "The Philippine Legislature." Sec. 12, id. 548.

Elections, provisions relative to, etc. Sec. 16, id. 549.

Appointment of certain senators and representatives by Governor General. Id.

Date of first, under this Act. Id.

Subsequent dates, etc., to be prescribed by legislature. Id.

Term of senators chosen at first. Id.

Term of senators chosen at subsequent. Id.

House districts, number of, etc. Sec. 16, id. 549.

Philippine Islands—Continued.

Autonomous form of government, Act of Aug. 29, 1916, providing for more—Continued.

Legislative power, general, vested in a legislature consisting of two houses—Continued.

House, provisions relative to, etc.:

Districts, each to have one representative. Sec. 14, id. 549.

Journal, method of keeping, etc. Sec. 19, id. 551.

Members of present assembly to be members of. Sec. 17, id. 550.

Place and date of convening. Sec. 18, id.

Qualifications of members. Sec. 11, id. 548.

Sole judge of election of its members, etc. Sec. 18, id. 550.

Special sessions, duration of. Id.

Term of members. Sec. 11, id. 548.

Vacancy among elective members, how filled. Sec. 17, id. 550.

Jurisdiction of existing legislature continued until organization of new. Sec. 12, id. 548.

Jurisdiction of Philippine Commission continued until organization of new. Id.

Qualifications of voters at first election under this Act. Sec. 15, id. 549.

Qualifications of voters at subsequent elections. Id.

Representatives, provisions relative to. Sec. 18, id. 550.

Annual compensation to be fixed by law. Id.

Arrest, privileged from, during sessions, etc. Id.

Eligibility to hold office created by legislature of which they were members. Sec. 18, id. 550.

Freedom of speech in debate. Id.

Senate districts, number and designation of. Sec. 16, id. 549.

Senate, provisions relative to—

Districts, each to have two senators. Sec. 13, id.

Journal, method of keeping, etc. Sec. 19, id. 551.

Place and date of convening. Sec. 18, id. 550.

Qualifications of members. Id.

Sole judge of election, qualifications, etc., of its members. Id.

Special sessions, duration of, etc. Id.

Term of members. Id.

Vacancies among elective members, how filled. Sec. 17, id.

Legislature, acts of, relative to the public domain, timber, and mining to be approved by the President. Sec. 9, id. 547.

Governor General, after approval, to forward to President. Sec. 9, id.

Time limit within which to approve or disapprove. Id.

Legislature, acts of, relative to tariff, immigration, currency, and coinage to be approved by the President. Sec. 10, id. 548.

Time limit for approval or disapproval by. Id.

Legislature, general legislative powers granted to. Sec. 8, id. 547.

Legislature, laws enacted by, to be reported to Congress, which has power to annul. Sec. 19, id. 551.

Legislature, laws now in force to remain in force until amended or repealed by Congress or the. Sec. 6, id. 547.

Authorized to amend, repeal, etc., any civil or criminal law in force. Sec. 7, id.

Philippine Islands—Continued.

Autonomous form of government, Act of Aug. 29, 1916, providing for more—Continued.

Legislature, laws now in force to remain in force until amended or repealed by Congress or the—Continued.

Jurisdiction specifically extended to tariff, revenue, and taxation laws. Id.

Legislature, Resident Commissioners to be elected by. Sec. 20, id. 552.

Privileges, qualifications, and salary of. Id.

License fees for franchises or privileges. Sec. 11, id. 548.

Life, liberty, or property, persons not to be deprived of, without due process of law. Sec. 3, id. 546.

Military reservations, etc., excepted from control of government of. Sec. 9, id. 547.

Mining, acts of legislature relative to, must be approved by President. Id.

Governor General on approval to forward to the President. Id.

Time limit for approval or disapproval by. Id.

Money collected as special tax assessment to constitute special fund. Sec. 3, id. 546.

Money not to be paid out of treasury except in pursuance of appropriations. Id.

Municipal governments, maximum indebtedness to be incurred by. Sec. 11, id. 548.

Municipal officials, salaries of, paid from what funds. Sec. 30, id. 556.

Officials appointed by President, salaries of and how paid. Sec. 29, id.

Officials not appointed by President, salaries to be fixed by law, etc. Id.

Persons not to be deprived of life, liberty, or property without due process of law. Sec. 3, id. 546.

Petition, right of people to peaceably assemble for purpose of, not to be denied. Id.

Philippines, The, as used in this Act, application and scope of. Sec. 1, id. 545.

Primogeniture, law of, never to be in force in. Sec. 3, id. 546.

Private property not to be taken for public use without just compensation. Id.

Provincial governments, maximum indebtedness to be incurred by. Sec. 11, id. 548.

Provincial officials, salaries of, paid from what funds. Sec. 30, id. 556.

Public lands, acts of legislature relative to, must be approved by President. Sec. 9, id. 547.

Governor General, on approval to forward to President. Id.

Time limit for approval or disapproval by. Id.

Public lands, except military reservations, etc., put under control of government of. Sec. 9, id.

Public lands no longer needed for reservations, restoration of. Sec. 9, id.

Public property, except military reservations, etc., placed under control of government of. Id.

Public utilities—

Bonds or stocks, restrictions as to issuance of, by corporation. Sec. 28, id. 555.

Dividends on stocks or bonds, restrictions as to. Id.

Eminent domain, authority to exercise right of. Id.

Philippine Islands—Continued.

Autonomous form of government, Act of Aug. 29, 1916, providing for more—Continued.

Public utilities—Continued.

Franchises, granted subject to amendment, etc., by Congress. Id.

Involuntary servitude, penalty for contracting for labor of persons held in. Id.

Private property not to be taken for, without just compensation. Id.

Punishment for contracting for labor of persons held to involuntary servitude. Id.

Punishments, cruel and unusual, not to be inflicted. Sec. 3, id. 546.

Release on bond, prior to conviction, except for capital offenses. Sec. 3, id.

Religious liberty or freedom not to be restricted. Id.

Money or property not to be appropriated for any sect, etc. Id.

Repealing clause as to all laws applicable to the islands in conflict with this Act. Sec. 31, id. 556.

Reservations, lands no longer needed for, restoration of. Sec. 9, id. 547.

Resident Commissioners, election of, by the legislature. Sec. 20, id. 552.

Privileges, qualifications, and salary of. Id.

Revenue laws, authority of the legislature to amend, repeal, etc., specifically extended to. Sec. 7, id. 547.

Salaries of officials appointed by President, schedule of, and how paid. Sec. 29, id. 556.

Salaries of officials not appointed by President to be fixed by law, etc. Id.

Not applicable to provincial and municipal officers. Sec. 30, id.

Salaries of provincial and municipal officers, how paid. Sec. 30, id.

Searches and seizures, security against unreasonable, not to be violated. Sec. 3, id. 546.

Slavery forbidden. Id.

Statutory laws of United States hereafter enacted not to apply to, unless they so state. Sec. 5, id. 547.

Tariff laws, acts of legislature relative to, must be approved by President. Sec. 10, id. 548.

Time limit for approval or disapproval of. Id.

Tariff laws, authority of legislature to amend, repeal, etc., specifically extended to. Sec. 7, id. 547.

Tariff laws, trade relations between United States and islands under control of Congress. Sec. 10, id. 548.

Taxation laws, authority of legislature to amend, repeal, etc., specifically extended to. Sec. 7, id. 547.

Taxation, rule of, shall be uniform. Sec. 3, id. 546.

Taxes for special purpose, money from, to constitute special fund. Id.

Timber, acts of legislature relative to, must be approved by President. Sec. 9, id. 547.

Governor General, on approval, to forward to President. Id.

Time limit for approval or disapproval of. Id.

Titles of nobility, enactment of law granting, prohibited. Sec. 3, id. 546.

Trade between United States and islands is under control of Congress. Sec. 10, id. 548.

Philippine Islands—Continued.

Autonomous form of government, Act of Aug. 29, 1916, providing for more—Continued.

United States statutory laws hereafter enacted not to apply to, unless they so state. Sec. 5, id. 547.

United States, trade between islands and, under control of Congress. Sec. 10, id. 548.

Vice governor, appointment and duties of. Sec. 21, id.

Warrant to be issued only on showing of probable cause, supported by oath. Sec. 3, id. 546.

Witness, no person compelled to testify against himself in criminal case. Id.

Benguet Road, portions of same authorized to be declared a toll road. Sec. 1, Act No. 1959, Philippine Commission, enacted June 26, 1909.

Bonds to be given by all insular, provincial, or municipal officers receiving or having custody of funds or property. Sec. 37, Act No. 1792, Philippine Commission, Oct. 12, 1907.

Branch office of Military Information Division at Manila, payment of contingent expenses of. Act of Apr. 23, 1904 (33 Stat. 260).

Certain classes of persons barred from election or appointment to township office. Sec. 15, Act No. 1397, Philippine Commission, Sept. 14, 1905.

Certain classes of persons entitled to vote at all elections, officers and enlisted men of Army, Navy, and Marine Corps barred. Sec. 13, Act No. 1582, Philippine Commission, Jan. 9, 1907.

Civil and military officers and employees traveling on leave to be granted half rates by contracting vessels of coastwise trade. Sec. 1, Act No. 1310, Philippine Commission, Mar. 23, 1905.

Civil government not to interfere with military administration of lands reserved for military purposes. Sec. 3, Act No. 530, Philippine Commission, Nov. 24, 1902.

Civil jurisdiction over reservations. Sec. 8, Act No. 530, Philippine Commission, Nov. 24, 1902.

Claims for private lands and interests within military reservations to be barred if not presented within six months from date of notice. Sec. 4, Act No. 627, Philippine Commission, Feb. 9, 1903; sec. 1, Act No. 806, Philippine Commission, July 24, 1903.

Commanding officer of United States troops at each place named in Act to notify municipal authorities of bounds of precincts within which intoxicants may not be sold. Sec. 5, Act No. 709, Philippine Commission, Mar. 28, 1903.

Condemnation of land for public use, who may exercise right of. Sec. 241, Act No. 190, Philippine Commission, Aug. 7, 1901; sec. 1, Act No. 665, Philippine Commission, Mar. 5, 1903.

Containers for removal of dead. Sec. 271, Revised Ordinances of City of Manila, 1908.

Contracts for material for seacoast batteries. Act of June 23, 1910 (36 Stat. 598).

Criminal prosecutions to be instituted under liquor act for violations of same. Sec. 25, Act No. 59, Philippine Commission, Dec. 14, 1900.

Debt due United States from any insular, provincial, or municipal government officer or employee to be withheld from latter's pay by disbursing officer. Sec. 1, Act No. 911, Philippine Commission, Sept. 29, 1903.

Debt due United States from officer or employee, penalty for failure of disbursing officer to withhold from pay, etc. Sec. 2, Act No. 911, Philippine Commission, Sept. 29, 1903.

Philippine Islands—Continued.

Disinterment and removal of dead. Sec. 35, Act No. 1458, Philippine Commission, Feb. 21, 1906.

Electors, who may exercise privilege of choosing elective officers; officers and enlisted men of Army, Navy, or Marine Corps barred. Sec. 6, Act No. 1397, Philippine Commission, Sept. 14, 1905.

False swearing. Sec. 2, Act No. 1562, Philippine Commission, Nov. 10, 1906.

Fees and fine arising in enforcement of liquor law; how disposed of. Sec. 4, Act No. 759, Philippine Commission, Mar. 28, 1903; sec. 1, Act No. 1502, Philippine Commission, June 26, 1906.

Fees for permit to transport body of dead. Paragraph 288g, Revised Ordinances of City of Manila, 1908.

Fees of court officers; how disposed of. Sec. 27, Act No. 136, Philippine Commission, June 11, 1901; sec. 1, Act No. 176, Philippine Commission, July 20, 1901.

Fees to civilian witnesses. Sec. 1, Act No. 1130, Philippine Commission, Apr. 28, 1904; sec. 1, Act No. 1243, Philippine Commission, Oct. 7, 1904.

Firearms and ammunition regularly and lawfully issued to all United States officers, soldiers, sailors and marines, constabulary, prison guards, policemen, and provincial officials and servants, to be retained by them for official use. Sec. 16, Act No. 1780, Philippine Commission, Oct. 12, 1907. Sec. 24, Act No. 175, Philippine Commission, July 18, 1901, as amended by Act No. 610, Philippine Commission, Feb. 2, 1903, and sec. 1, Act No. 652, Philippine Commission, Mar. 4, 1903, are repealed by sec. 31, Act No. 1780, Philippine Commission.

Firearms, lawful possession of, by officials. Sec. 16, Act No. 1780, Philippine Commission, Oct. 12, 1907. Sec. 24, Act No. 175, Philippine Commission, July 18, 1901, as amended by Act No. 610, Philippine Commission, Feb. 2, 1903, and sec. 1, Act No. 652, Philippine Commission, Mar. 4, 1903, are repealed by sec. 31, Act No. 1780, Philippine Commission.

Franchises for works of public utility, etc., rules and regulations to be adopted. Sec. 74, Act of July 1, 1902 (32 Stat. 691).

Governor General to notify judge of Court of Land Registration of reservation of public lands for military purposes. Sec. 2, Act No. 627, Philippine Commission, Feb. 9, 1903, as amended by sec. 1, Act No. 806, Philippine Commission, July 24, 1903.

Governor of Province, or district governor, to apply to any military officer in command of United States troops to enforce law and order and suppress disturbances that can not otherwise be put down. Sec. 20, Act No. 787, Philippine Commission, June 1, 1903, as amended by sec. 11, Act No. 1283, Philippine Commission, Jan. 13, 1905.

Habeas corpus—

How employed. Sec. 1, Act No. 272, Philippine Commission, Oct. 1, 1901.

Repeal of section of act to forbid issuing of writ of habeas corpus against military officer or soldier in certain Provinces. Sec. 4, Act No. 421, Philippine Commission, June 23, 1902.

When privilege of same may be suspended. Sec. 5, Act of July 1, 1902 (32 Stat. 692).

Highway, Lepanto Mining Co., statutory regulations governing operation of same. Sec. 5, Act No. 1700, Philippine Commission, Aug. 30, 1907.

Import duties, not to be imposed on certain classes of imports. Sec. 10, Act of Aug. 5, 1909 (36 Stat. 170, 171.)

Philippine Islands—Continued.

- Insane natives serving in Army, care of. Act of Mar. 2, 1907 (34 Stat. 1173).
- Inspection of United States Government vessels entering Philippine Islands. Sec. 20, Act of Aug. 5, 1909 (36 Stat. 176).
- Interisland traffic, regulations governing. Sec. 1, Act of Apr. 29, 1908 (35 Stat. 70).
- Internal-revenue taxes imposed by the Philippine Legislature legalized and ratified. Act of July 1, 1916 (39 Stat. 286).
- Intoxicating liquors, certain Army officers to be justices of the peace only for purpose of enforcing provisions of act regulating sale of. Sec. 4, Act No. 709, Philippine Commission, Mar. 28, 1903, as amended by sec. 1, Act No. 1502, Philippine Commission, June 26, 1906.
- Investigation of suspicious deaths. Sec. 15, Act No. 1487, Philippine Commission, May 16, 1906.
- Justices of the peace, certain Army officers to be, only for purpose of enforcing act regulating sale of intoxicating liquors. Sec. 4, Act No. 709, Philippine Commission, Mar. 28, 1903, as amended by sec. 1, Act No. 1502, Philippine Commission, June 26, 1906.
- Lands and buildings exempt from taxation. Sec. 19, Act No. 1396, Philippine Commission, Sept. 14, 1905.
- Lands comprised within military reservations to become registered lands. Sec. 1, Act No. 627, Philippine Commission, Feb. 9, 1903, as amended by sec. 1, Act No. 806, Philippine Commission, July 24, 1903.
- Lands to which provisions of secs. 38, 39, 40, 41, and 42 of Act No. 190 are applicable. Sec. 6, Act No. 627, Philippine Commission, Feb. 9, 1903, as amended by sec. 1, Act No. 806, Philippine Commission, July 24, 1903.
- Lands within military reservations to be brought under operation of land-registration act. Sec. 1, Act No. 627, Philippine Commission, Feb. 9, 1903, as amended by sec. 1, Act No. 806, Philippine Commission, July 24, 1903.
- Law of war; military occupation. Sec. 2, Act of July 1, 1902 (32 Stat. 692).
- License as master, mate, etc., of a Philippine coastwise vessel. Sec. 7, Act No. 780, Philippine Commission, May 29, 1903, as amended by sec. 1, Act No. 1317, Philippine Commission, Apr. 11, 1905.
- Licenses to harbor vessels. Sec. 4, Act of Apr. 29, 1908 (35 Stat. 70).
- Liquor licenses not to be granted on military reservations. Sec. 1, Act No. 530, Philippine Commission, Nov. 24, 1902.
- Liquor licenses not to be granted by provincial or municipal authority for sale of intoxicants within certain prohibited areas. Sec. 1, Act No. 709, Philippine Commission, Mar. 28, 1903, as amended by sec. 1, Act No. 760, Philippine Commission, May 21, 1903; see secs. 1 and 2, Act No. 1169, Philippine Commission, May 31, 1904, and sec. 1, Act No. 1904, Philippine Legislature, May 19, 1909.
- Locust pest, exemption of certain-named classes of inhabitants of Philippine Islands from being called upon to aid in suppression of. Sec. 1, Act No. 834, Philippine Commission, Aug. 17, 1903.
- Military forces in Philippine Islands to be at all times subject to call of civil authorities. Sec. 1, Act of July 1, 1902 (32 Stat. 691).
- Military reservations, civil officers having authority over, or civilians resident thereon, not to interfere with military use of same. Sec. 3, Act No. 530, Philippine Commission, Nov. 24, 1902.

Philippine Islands—Continued.

Mining claims on reservations. Sec. 5, Act No. 530, Philippine Commission, Nov. 24, 1902.

Moro Province—

Allowance to Army officers detailed to perform duties of provincial or district officials of Province. Sec. 11, Act No. 787, Philippine Commission, June 1, 1903, as amended by sec. 4, Act No. 1283, Philippine Commission, Jan. 13, 1905, and sec. 1, Act No. 1391, Philippine Commission, Sept. 8, 1905.

Composition of legislative council. Sec. 12, Act No. 787, Philippine Commission, June 1, 1903, as amended by sec. 5, Act No. 1283, Philippine Commission, Jan. 13, 1905, and sec. 2, Act No. 1673, Philippine Commission, July 20, 1907.

Governor General to appoint executive officers for. Sec. 4, Act No. 787, Philippine Commission, June 1, 1903, as amended by sec. 1, Act No. 1283, Philippine Commission, Jan. 13, 1905, and sec. 1, Act No. 1673, Philippine Commission, July 20, 1907.

Legislative council to have power to insure gradual transition from military to civil control. Sec. 28, Act No. 787, Philippine Commission, June 1, 1903.

Positions, duties, and compensation of engineer and superintendent of schools of Moro Province created, assigned, and fixed by legislative council. Sec. 12, Act No. 787, Philippine Commission, June 1, 1903, as amended by sec. 5, Act No. 1283, Philippine Commission, Jan. 13, 1905, and sec. 2, Act No. 1673, Philippine Commission, July 20, 1907.

Provincial governor to appoint, with consent of legislative council, a governor and secretary in each district. Sec. 15, Act No. 787, Philippine Commission, July 1, 1903, as amended by sec. 1, Act No. 889, Philippine Commission, Sept. 17, 1903; sec. 1 Act No. 1631, Philippine Commission, Apr. 25, 1907; and sec. 3, Act No. 1879, Philippine Commission, Oct. 10, 1908.

Provincial governor to report to the Governor General of the Islands. Sec. 5 Act No. 787, Philippine Commission, June 1, 1903.

Salaries of all officers and employees of Province, and of districts and municipalities therein, from what payable. Sec. 11, Act No. 787, Philippine Commission, June 1, 1903, as amended by sec. 4, Act No. 1283, Philippine Commission, Jan. 13, 1905, and sec. 1, Act No. 1391, Philippine Commission, Sept. 8 1905.

Use of Army in aid of civil authorities. Sec. 20, Act No. 787, Philippine Commission, June 1, 1903, as amended by sec. 11, Act No. 1283, Philippine Commission, Jan. 13, 1905.

National-defense secrets, offenses against act, where cognizable. Sec. 3, Act of Mar. 3, 1911 (36 Stat. 1085).

Native wines not to be sold in Province of Zambales to soldiers of Army or sailors or enlisted men of Navy or Marine Corps; penalty for violation. Secs. 1 and 2, Act No. 1369, Philippine Commission, July 7, 1905.

Native wines not to be sold to soldiers of United States Army or to sailors or enlisted men of Navy or Marine Corps in Province of Cavite, penalty for violation. Secs. 1 and 2, Act No. 1302, Philippine Commission, Feb. 24, 1905.

Native wines or liquors, Governor General to specify kinds of, prohibited to be sold. Sec. 1, Act No. 1944, Philippine Legislature, May 20, 1909.

Native wines, so called, not to be sold to soldiers. Sec. 24, Act No. 59, Philippine Commission, Dec. 14, 1900.

Philippine Islands—Continued.

Navigation laws, repeal of. Sec. 6, Act of Apr. 29, 1908 (35 Stat. 70).

Navigation laws to be administered by proper officials of the Insular Government. Sec. 5, Act of Apr. 29, 1908 (35 Stat. 70).

Oaths, who may administer. Sec. 1, Act No. 1562, Philippine Commission, Nov. 10, 1906.

Offenses on high seas, jurisdiction over. Sec. 3, Act of Mar. 3, 1911 (36 Stat. 1085).

Officers of Army and of constabulary are, while upon certain details, given the power of peace officers, and, while so detailed, shall perform the duties of such peace officers. Sec. 1, Act No. 1797, Philippine Commission, Oct. 12, 1907.

Penalty for conviction of violation of liquor law. Sec. 25, Act No. 59, Philippine Commission, Dec. 14, 1900.

Penalty for selling, furnishing, or giving away intoxicants. Sec. 2, Act No. 709, Philippine Commission, Mar. 28, 1903.

Penalty for unlawfully cutting or destroying standing timber or any other public property on military reservations. Sec. 6, Act No. 530, Philippine Commission, Nov. 24, 1902. See sec. 9, Act No. 1407, Philippine Commission, Oct. 26, 1905, as amended by sec. 1, Act No. 1872, Philippine Commission, June 19, 1908, and sec. 1, Act No. 1976, Philippine Legislature, Apr. 18, 1910, which gives to honorably discharged soldiers and sailors of the Army or Navy certain rights to cut timber free of charge in the public forests.

Penalty for violating any regulation made in pursuance of an Act providing for establishment and maintenance of toll roads and bridges; act to be at once operative. Secs. 2 and 3, Act No. 1959, Philippine Commission, June 26, 1909.

Per diems to Army or Navy officers detailed for duty with the Insular Government when traveling on official business. Sec. 3, Act No. 1873, Philippine Legislature, June 19, 1908.

Personal property of persons employed in military service and used incident to such service to be exempt from all taxation under insular laws. Sec. 4, Act No. 530, Philippine Commission, Nov. 24, 1902.

Philippine civil-service act not to apply to persons in military, naval, or civil service of United States detailed for performance of civil duties. Sec. 1, Act No. 1698, Philippine Commission, Aug. 26, 1907.

Philippine civil-service Act retroactive in effect as to accrued leave of officers and employees. Sec. 23, Act No. 1698, Philippine Commission, Aug. 26, 1907.

Philippine civil-service act to apply to appointment to all positions in Philippine civil service, except semi or unskilled laborers, etc. Sec. 1, Act No. 1698, Philippine Commission, Aug. 26, 1907.

Poll tax, every male between 18 and 60, with certain named exceptions, to pay. Sec. 120, Act No. 1189, Philippine Commission, July 2, 1904.

Procedure to be observed upon filing of claims and applications for registration in court of land registration. Sec. 5, Act No. 627, Philippine Commission, Feb. 9, 1903, as amended by sec. 1, Act No. 806, Philippine Commission, July 24, 1903.

Property and rights acquired by treaty, except military reservations, placed under control of Insular Government. Sec. 12, Act of July 1, 1902 (32 Stat. 691).

Philippine Islands—Continued

- Property and rights acquired by treaty, except that designated for military and other reservations placed under control of insular government. Sec. 12, Act of July 1, 1902 (32 Stat. 695).
- Publication, by court of land registration, of notices of registration of public lands. Sec. 3, Act No. 627, Philippine Commission, Feb. 9, 1903, as amended by sec. 1, Act No. 806, Philippine Commission, July 24, 1903.
- Railway line to Baguio, statutory regulations governing operation of same. Sec. 1, Act No. 1735, Philippine Commission, Oct. 2, 1907.
- Railway, telegraph, and telephone lines, statutory regulations governing construction and operation of, in islands of Panay, Negros, and Cebu. Secs. 1 and 15, Act No. 1497, Philippine Commission, May 28, 1906.
- Railways in island of Luzon, statutory regulations governing operation of same. Sec. 1, Act No. 1510, Philippine Commission, July 7, 1906.
- Restrictive provisions of law not to apply to foreign vessels plying between Philippines and United States. Sec. 3, Act of Apr. 29, 1908 (35 Stat. 70).
- Revised Statutes of United States, secs. 1014, 5270-5279, to apply, so far as applicable, to Philippine Islands. Secs. 1 and 2, Act of Feb. 9, 1903 (32 Stat. 605); secs. 1 and 2, Act of Feb. 6, 1905 (33 Stat. 698).
- Road tax to be imposed on all males, with certain exceptions, between 18 and 60 years of age. Sec. 19, Act No. 1396, Philippine Commission, Sept. 14, 1905.
- Salary of Army or Navy officer detailed to perform the duties of any office under insular government. Sec. 39, Act No. 1407, Philippine Commission, Oct. 26, 1905.
- Saline lands, disposition of. Sec. 9, Act of Feb. 6, 1905 (33 Stat. 697).
- Sec. 1014, Revised Statutes, to apply, so far as practicable, throughout the Philippine Islands. Sec. 1, Act of Feb. 9, 1903 (32 Stat. 806).
- Secs. 5270, 5271, 5272, 5273, 5274, 5275, 5276, and 5277, Revised Statutes, so far as applicable, to apply to Philippine Islands. Secs. 1 and 2, Act of Feb. 6, 1905 (33 Stat. 698).
- Secs. 5278 and 5279, Revised Statutes, to apply, so far as practicable, to the Philippine Islands. Sec. 2, Act of Feb. 9, 1903 (32 Stat. 807).
- Secretary of commerce and police to invite proposals and make contracts for carrying mails and government freight and passengers in coastwise trade. Sec. 1, Act No. 1310, Philippine Commission, Mar. 23, 1905.
- Special transportation to be furnished insular government by Manila Railway Co. at extra compensation. Sec. 14, Act No. 554, Philippine Commission, Dec. 8, 1902.
- Special transportation to be furnished insular government by steam tramway contractor at extra compensation. Sec. 16, Act No. 1448, Philippine Commission, Feb. 1, 1906.
- Statutory provisions governing appointments to all positions and employments in Philippine civil service. Sec. 1, Act No. 1698, Philippine Commission, Aug. 26, 1907.
- The President, during period of armed resistance to United States forces, to continue to regulate and control commercial intercourse of Philippine Islands. Sec. 3, Act of July 1, 1902 (32 Stat. 692).
- Toll roads and bridges, rates fixed to be subject to approval of Governor General; officers, enlisted men, and civil employees of Army, Navy, and Marine Corps to be exempt from payment of tolls. Sec. 1, Act No. 1617, Philippine Commission, Mar. 20, 1907.
- Tonnage taxes imposed by Philippine Legislature on vessels engaged in foreign trade legalized and ratified. Act of July 1, 1916 (39 Stat. 286).

Philippine Islands—Continued.

Tonnage taxes and light dues, vessels owned by citizens of Philippine Islands exempt from, in ports of United States. Act of July 1, 1916 (39 Stat. 286).

Tonnage taxes to be levied upon all foreign vessels entering United States from Philippine Islands. Sec. 2, Act. of Apr. 29, 1908 (35 Stat. 70).

Transportation of bodies by military authorities. Par. 289, Revised Ordinances of City of Manila, 1908.

Plants for shipbuilding, requisitioning, etc. *See* Emergency Shipping Fund.

Police: Civil, may be called upon to arrest trespassers, etc., upon Presidio of San Francisco. Act of June 4, 1888 (25 Stat. 167).

Poll tax, Philippine Islands, male persons subject to. *See* Philippine Islands. "Portage Levee," Secretary of War to convey title of United States in, to the State of Wisconsin or city of Portage. Act of July 27, 1916 (39 Stat. 401).

Porto Rico:

Civil government provided for. Secs. 1-58, Act of Mar. 2, 1917 (39 Stat. 951-968).

"Person," as used in Act, how construed. Sec. 2, Act of June 11, 1906 (34 Stat. 234).

Postponement of election to a date to be hereafter fixed by the President on failure of Congress to pass the Act to provide a civil government for, etc., at 1st sess., 64th Cong. Sec. 6, Act of Sept. 8, 1916 (39 Stat. 830).

Restrictions upon powers granted by Act to Secretary of War. Sec. 3, Act of June 11, 1906 (34 Stat. 235).

Secretary of War is authorized to grant permits for construction of works in navigable waters in or surrounding Porto Rico. Sec. 1, Act of June 11, 1906 (34 Stat. 234).

Postmasters, oaths, may administer for pension purposes. *See* Pensions.

Post traders: Vacancies not to be filled. Act of Jan. 28, 1893 (27 Stat. 426).

Potomac Park, District of Columbia:

Made part of park system. *See* Corps of Engineers.

Restrictions on lagoons or speedways in. *See* Corps of Engineers.

Playground for children, regulation for control of, etc. *See* Corps of Engineers.

President:

Authorized to employ all persons in land and naval service in connection with Coast and Geodetic Survey work. *See* Army.

Philippine Islands, during armed resistance to regulate commercial intercourse with. *See* Philippine Islands.

Powers conferred on, may be exercised through Isthmian Canal Commission. *See* Isthmian Canal Commission.

Presidio of San Francisco Military Reservation:

Consent of United States to the closing of certain public streets of the city of San Francisco east of the eastern boundary of, and their utilization as site for a State normal school, etc. Act of Aug. 29, 1916 (39 Stat. 637).

Construction of building on, for Government exhibit and use of building after close of exhibition. *See* Panama-Pacific International Exposition.

Construction of road across, connecting Fort Winfield Scott with city and county road leading to Fort Miley. Act of Aug. 29, 1916 (39 Stat. 637).

Palace of Fine Arts, convey site of to California University in exchange for other lands. Act of May 12, 1917 (40 Stat. 57).

Panama-Pacific International Exposition and its successors in interest may be authorized to occupy portion of, with Palace of Fine Arts. *Id.*

Presidio of San Francisco Military Reservation—Continued.

Panama-Pacific International Exposition and its successors in interest may be authorized to occupy portion of, with Palace of Fine Arts—Continued.

Extension of cession of jurisdiction to State of California over part to be occupied during such occupancy, and to terminate on revocation of the permit, etc. *Id.*

Failure to remove the buildings on revocation of the permit to vest title to them in the United States. *Id.* 638.

Temporary cession of jurisdiction to State of California over portion used for exposition purposes. *See* Panama-Pacific International Exposition.

Prisoners, Federal:

Deduction from sentences for good conduct. Secs. 5543, 5544, R. S., as amended by Act of Mar. 3, 1875 (18 Stat. 479); Act of Mar. 3, 1891 (26 Stat. 840). Superseded by Act of June 21, 1902 (32 Stat. 397), as amended by Act of Apr. 27, 1906 (34 Stat. 149).

Military prisoners, deductions from sentence for good conduct. Secs. 1, 2, 3, Act of June 21, 1902 (32 Stat. 307).

Parole of, June 25, 1910 (36 Stat. 819), as amended by act of Jan. 23, 1913 (37 Stat. 650).

Procedure, Philippine Islands, for filing claims, etc., in court of land registration. *See* Philippine Islands.

Printing and binding:

Allotments from appropriation for, restrictions on expenditure of. Act of Aug. 1, 1914 (38 Stat. 673).

Annual reports of heads of departments, etc., time for submitting copy to Public Printer, etc. Sec. 9, Act of Aug. 1, 1914 (38 Stat. 680).

Employees in Government Printing Office not to be detailed in other executive branches of public service. Act of Aug. 1, 1914 (38 Stat. 673).

Executive departments, certificate of necessity for printing and binding to be furnished. Act of Aug. 1, 1914 (38 Stat. 673).

Expenditures from appropriations, apportionment of expenditures to work executed. Act of Aug. 1, 1914 (38 Stat. 673).

Medical Bulletin, Army, for instruction to medical officers. Act of Aug. 1, 1914 (38 Stat. 673).

Public buildings and grounds, employees, estimates and appropriations for, supervision of, etc. *See* Corps of Engineers.

Public buildings, Washington, D. C. *See* Commission of Fine Arts.

Public buildings, use of water in, from Washington Aqueduct, etc. *See* Corps of Engineers.

Public lands:

Assertion of right to, without color of title. Secs. 1 and 4, Act of Feb. 25, 1885 (23 Stat. 321).

Canal Zone, leases of. *See* Panama Canal.

Failure to extinguish fires. Secs. 2 and 3, Act of May 5, 1900 (31 Stat. 169).

Homesteads—

Additional entry, when. Sec. 2306, R. S.

not Affected by Sec. 7, Act of July 3, 1916, which is a new section to the Act of Feb. 19, 1909. (39 Stat. 344.)

Entry, mode of procedure. Sec. 2290, R. S.

Entry, who may make. Sec. 2289, R. S.

Mode of procedure. Sec. 2290, R. S.

Persons who have entered less than 160 acres. Sec. 2306, R. S.

Rights of wife and minor children of persons entitled to. Sec. 2306, R. S.

Public lands—Continued.

Homesteads—Continued.

Who may enter. Sec. 2289, R. S.

Widow and minor children of persons entitled to. Sec. 2307, R. S.

Inclosures on. Secs. 1 and 4, Act of Feb. 25, 1885 (23 Stat. 321).

Preference to homestead settlers. Act of Feb. 15, 1895 (28 Stat. 664).

Procedure for removal of unlawful inclosures. Secs. 2 and 6, Act of Feb. 25, 1885 (23 Stat. 321).

Removal of trespassers from. *See* Employment of military force.

Remove and destroy unlawful inclosures of. *See* Employment of military force.

Right of way for highways over. Sec. 2477, R. S.

Seizure of timber cut on the public lands. Act of Apr. 30, 1878 (20 Stat. 46.)

Setting fires, etc. Secs. 1 and 3, Act of May 5, 1900 (31 Stat. 169).

Settlement on and transit over, not to be obstructed. Secs. 3 and 4, Act of Feb. 25, 1885 (23 Stat. 321).

Subject to preemption. Sec. 2257, R. S.

Public Printer, time for heads of departments to submit copy of annual reports to. *See* Printing and Binding.

Public property:

Abandoned military reservations, disposition of. Act of Mar. 3, 1893 (27 Stat. 593).

Army officers accountable for, to obtain certificates of nonindebtedness, etc., before final payment on discharge. Sec. 2; Act of Jan. 12, 1899 (30 Stat. 784).

Offenses on ceded districts not prohibited by Federal law, how punished. Act of July 7, 1898 (30 Stat. 717).

Philippine Islands, destruction of on military reservations. *See* Philippine Islands.

Transportation to or from expositions or fairs, etc. *See* Interstate commerce.

Unserviceable equipment, Panama Canal, may be sold without advertising. *See* Panama Canal.

Public service, record of conviction in Juvenile Court, District of Columbia, not a disqualification for entering under the Federal or District Governments. Act of Apr. 27, 1916 (39 Stat. 56).

Public utilities, Philippine Islands, regulations to be adopted in connection with franchises for. *See* Philippine Islands.

Public works:

Injury to. *See* Corps of Engineers.

Navigable waters, unauthorized use of. *See* Corps of Engineers.

Punaloa Military Reservation, island of Oahu, Territory of Hawaii. Transfer of control and jurisdiction over to the Navy Department for use for naval purposes. Act of Aug. 29, 1916 (39 Stat. 642).

Quarantine of live stock, transportation, notice to carriers. *See* Interstate commerce.

Quartermaster Corps, supply depot for, at Fort Sam Houston, Tex., acquisition of additional land and construction of. Act of Aug. 29, 1916 (39 Stat. 636).

Quartermaster's Department, appointments in, from volunteers. Act of Mar. 2, 1901 (31 Stat. 900).

Radio station, naval, Canal Zone. *See* Panama Canal.

Radio station, naval. Lands of United States under control of a particular department, etc., that have been or may hereafter be mutually selected as site for, may be transferred to control and jurisdiction of Navy Department for naval purposes. Act of Aug. 29, 1916 (39 Stat. 606).

Railroads:

Government in Alaska. Detail of Lieut. Frederick Mears to assist in location and construction of. J. Res. No. 17, May 13, 1914 (38 Stat. 772). Preference to military traffic in time of war. Sec. 2, Act of June 29, 1906 (34 Stat. 586).

Railways, Philippine Islands, statutory regulations governing. *See* Philippine Islands.

Red Cross:

American, memorial monument to commemorate the women of the Civil War to be permanent headquarters of, and to be charged with and responsible for the care, keeping, and maintenance of the memorial and grounds, but the title to the site and building to be in United States. Act of Oct. 22, 1913 (38 Stat. 233).

Detail of medical officer with. *See* Details of Army officers.

Red Cross Association, incorporation of, etc. Act of June 6, 1900 (31 Stat. 277); Act of Jan. 5, 1905 (33 Stat., 599).

Reformatory of District of Columbia:

Persons convicted of crimes in courts of the District and sentenced to confinement for more than one year may serve their confinement in instead of in a penitentiary, etc. Act of Sept. 1, 1916 (39 Stat. 711).

Transfer of prisoners heretofore convicted in District courts to serve remainder of terms of confinement in. *Id.*

Reporters, courts-martial, employment of. *See* Military tribunals.

Requisitioning plants, etc., for shipbuilding. *See* Emergency Shipping Fund.

Reservations, Indian, removal of persons from. *See* Indians.

Retired Army officers assigned to active duty as members of Alaska Board of Road Commissioners. *See* Alaska.

Revenues, Canal Zone, distribution of. *See* Panama Canal.

Revised Statutes of United States, certain sections to apply, so far as applicable to Philippine Islands. *See* Philippine Islands.

River and harbor improvements, condemnation and purchase of lands for. *See* Corps of Engineers.

River and harbor works, estimates, reports, surveys, etc., for. *See* Corps of Engineers.

Rivers and harbors:

Allotment of consolidated works. Balances carried to authorized works. Sec. 2, Act of Aug. 8, 1917 (40 Stat. 261).

Bayou Meto, Ark., declared nonnavigable. Sec. 16, Act of Aug. 8, 1917 (40 Stat. 268).

Cape Cod Canal, Mass. Purchase or condemnation authorized. Procedure. Joint action of Secretaries of War, Navy and Commerce. Sec. 4, Act of Aug. 8, 1917 (40 Stat. 262).

Chicago River, Ill., report of survey of harbor encroachments required. Sec. 11, Act of Aug. 8, 1917 (40 Stat. 267).

Consolidated items of rivers and harbor works, with aggregate amount appropriated therefor, allotments to respective works, and disposition of balances remaining to credit of separate works or items, etc. Sec. 3, Act of Mar. 4, 1915 (38 Stat. 1052).

Contract work authorized. Sec. 3, Act of Aug. 8, 1917 (40 Stat. 261).

Rivers and harbors—Continued.

Donation of funds to be expended with public funds for improvement of rivers and harbors, Secretary of War authorized to receive from private parties. Sec. 4, Act of Mar. 4, 1915 (38 Stat. 1053).

Establish anchorage grounds in all harbors, rivers, bays, and other navigable waters, Secretary of War authorized to define and. Sec. 7, Act of Mar. 4, 1915 (38 Stat. 1053).

Funds contributed in excess of actual cost of work may be returned to representatives of contributing interests upon approval of Secretary of War, etc. Sec. 4, Act of Mar. 4, 1915 (38 Stat. 1053).

Index to annual reports of Chief of Engineers. *See* Corps of Engineers.

Minnesota and North and South Dakotas, consent of Congress to improvement of boundary waters by. Sec. 5, Act of Aug. 8, 1917 (40 Stat. 266).

Mosquito Creek, S. C., declared nonnavigable. Sec. 15, Act of Aug. 8, 1917 (40 Stat. 268).

Proceedings to secure title to lands to be given for improvements by State authorities, etc. Reimbursement of expenses. Sec. 9, Act of Aug. 8, 1917 (40 Stat. 267).

Regulation of use of harbors, etc., by Secretary of War. Sec. 7, Act of Aug. 8, 1917 (40 Stat. 266), amending sec. 4, Act of Aug. 18, 1894 (28 Stat. 362), as amended by sec. 11, Act of June 13, 1902 (32 Stat. 374).

Rentals for use of Government plants in improvement of, disposition. Sec. 13, Act of Aug. 8, 1917 (40 Stat. 268).

Restriction on private contract work for improvement of. Sec. 6, Act of Aug. 8, 1917 (40 Stat. 266).

Rules and regulations governing, to be enforced by Chief of Engineers at ports or places where no revenue cutter is available, etc. Sec. 7, Act of Mar. 4, 1915 (38 Stat. 1053).

Saint Marys River, Ohio and Indiana, declared nonnavigable. Sec. 17, Act of Aug. 8, 1917 (40 Stat. 268).

San Diego, Cal., Atchison, Topeka & Santa Fe Railway Co. may retain wharf at; conditions; agreement as to disputes; improvements, etc., by the Government; alterations, etc., by railway company not required. Sec. 14, Act of Aug. 8, 1917 (40 Stat. 268).

Seattle, Wash., Betterton-Morgan Co. (Inc.), may construct dock on tide lands of. Sec. 12, Act of Aug. 8, 1917 (40 Stat. 267).

Secretary of War authorized to appoint a board of three officers from the Corps of Engineers to examine and appraise the value of the work and franchises of the East Canal Co. from the St. Johns River to Key West, Fla., with reference to its purchase by the Government and the construction of a free and open waterway, etc. Sec. 15, Act of Mar. 4, 1915 (38 Stat. 1058).

Specific authority required for surveys, etc. Sec. 4, Act of Aug. 8, 1917 (40 Stat. 261).

Waterways Commission—

Appropriation for expenses of. Sec. 18, Act of Aug. 8, 1917 (40 Stat. 269).

Authority for expenditures. *Id.*

Compensation of commission. *Id.*

Composition of. *Id.*

Consideration of rights, etc., of United States, States, etc., respecting proposed projects. *Id.*

Engineers, technical experts, etc., to be employed. *Id.*

Report of plans to Congress. *Id.*

Rivers and harbors—Continued.

Waterways Commission—Continued.

River and harbor projects not interfered with, etc. *Id.*, 270.

Subjects for study, etc., designated. *Id.*, 269.

Road Commissioners, Board of, Alaska. *See* Alaska.

Roads, public lands, right of way for highways over. *See* Public lands.

Road tax, Philippine Islands, male persons on which imposed. *See* Philippine Islands.

Sacramento River, Cal., control, of floods in. Pars. a-c, sec. 2, Act of Mar. 1, 1917 (39 Stat. 949).

Saint Johns River, Fla. Secretary of War authorized to appoint a board of three officers from the Corps of Engineers to examine and appraise the value of the work and franchises of the East Coast Canal from the river to Key West, with reference to its purchase by the Government and the construction of a free and open waterway, etc. Sec. 15, Act of Mar. 4, 1915 (38 Stat. 1058).

Saint Marys River, Ohio and Indiana, declared nonnavigable. Sec. 17, Act of Aug. 8, 1917 (40 Stat. 268).

Salem, Mass., relief of fire sufferers at, expenditures under Secretary of War. Sec. 13, Act of Aug. 1, 1914 (38 Stat. 681).

Sales, Canal Zone, construction material, etc., disposition of proceeds of. *See* Panama Canal.

Saline lands, Philippine Islands, disposition of. *See* Philippine Islands.

Sam Houston, Fort, Texas. *See* Military reservations.

San Antonio, Tex. *See* Texas Bicentennial and Pan American Exposition.

San Diego Cal., Atchison, Topeka & Santa Fe Railway Co. may retain wharf at; conditions; agreement as to disputes; improvements, etc., by the Government; alterations, etc., by railway company not required. Sec. 14, Act of Aug. 8, 1917 (40 Stat. 268).

San Francisco, sale by city and county of, to War Department of water supply required for the military reservations in or near the city, supplied from reservoirs in Hetch Hetchy Valley, Yosemite National Park, on certain conditions, etc. Par. (u), sec. 9, Act of Dec. 19, 1913 (38 Stat. 250).

San Jacinto Military Reservation, Tex., county or city of Galveston and other local interests to quiet all claims to title to. Act of Aug. 27, 1916 (39 Stat. 398).

Schofield Barracks Military Reservation, Territory of Hawaii. Dowsett Co. (Ltd.) authorized to remove certain buildings from within specified time. Act of Aug. 29, 1916 (39 Stat. 636).

Schools, Indian:

Detail of Army officers in connection with normal and industrial training. *See* Details of Army officers.

Use of vacant military posts and barracks for normal and industrial training. *See* Details of Army officers.

Seattle, Wash., Betterton-Morgan Co. (Inc.), may construct dock on tide lands of. Sec. 12, Act of Aug. 8, 1917 (40 Stat. 267).

Secretary of War:

Acceptance by President and, from the Lincoln Farm Association, of title to the homestead of Abraham Lincoln and the log cabin in which he was born, together with the memorial inclosing the same, and an endowment fund of \$50,000 in relation thereto. The control of the property to be under the Secretary of War. Act of July 17, 1916 (39 Stat. 385).

Accept donation of funds to be expended with public funds for improvement of rivers and harbors. *See* Rivers and harbors.

Secretary of War—Continued.

Accept donation of lands and navigation improvements of the "Kyle and Young Canal" and the "Morrison Landing extension," Oklawaha River, Fla. Act of July 27, 1916 (39 Stat. 396).

Accept funds raised by New York World by popular subscription for construction of electric lighting plant for illuminating the Statue of Liberty, Bedloes Island, New York Harbor. Sec. 5, Act of July 27, 1916 (39 Stat. 411).

Anacostia River and Flats, acquisition of land in connection with reclamation and development of; adjustment of boundaries and exchange of lands with the Philadelphia, Baltimore & Washington Railroad, etc. Act of Mar. 3, 1917 (39 Stat. 1040, 1041).

Approve, as member of commission, site and plans for the memorial monument to commemorate the women of the Civil War, and to supervise expenditures. Act of Oct. 22, 1913 (38 Stat. 233).

Authorized to appoint a board of three officers from Corps of Engineers to examine and appraise the value of the work and franchises of the East Canal Co., from the St. Johns River to Key West, Fla., with reference to its purchase by the Government and the construction of a free and open waterway, etc. Sec. 15, Act of Mar. 4, 1915 (38 Stat. 1058).

Authorized to construct new Aqueduct Bridge. *See* Aqueduct Bridge, under Corps of Engineers.

Authorized to loan, issue, or use quartermaster's and medical supplies for the relief of destitute persons in the districts overflowed by the Mississippi River and its tributaries. J. Res. of Feb. 15, 1916 (39 Stat. 11).

Convey to State of Wisconsin or city of Portage the title of United States to "Portage Levee." Act of July 27, 1916 (39 Stat. 401).

Establish and define anchorage grounds in all harbors, rivers, bays, and other navigable waters. *See* Rivers and harbors.

Ex officio member of national military park commissions on vacancy occurring by death or resignation of members of the commissions; and, upon vacation by all members, duties of commissioners to be performed under. Act of Aug. 24, 1912 (37 Stat. 442).

Expenditures for relief of fire sufferers at Salem, Mass., to be made under. *See* Salem, Mass.

Flood sufferers in North Carolina, South Carolina, Georgia, Alabama, Florida, Tennessee, and Mississippi, relief of, with food, supplies of the Quartermaster and Medical Department, etc. J. Res. of Aug. 3, 1916 (39 Stat. 434).

Authorization extended for similar relief to flood sufferers of West Virginia. J. Res. of Aug. 24, 1916 (39 Stat. 534).

Funds contributed in excess of actual cost of work may be returned to representatives of contributing interests on approval of. *See* Rivers and harbors.

Government pier in Delaware Bay near Lewes, Del., to be open to public under regulations to be prescribed by. Act of July 27, 1916 (39 Stat. 394).

Loan ensigas, flags, etc., for purpose of decorating streets during forty-ninth encampment of the Grand Army of the Republic. *See* Grand Army of the Republic.

Loan hospital tents, ambulances, horses, drivers, etc., for caring for the sick, injured, and infirm during the encampment. *See* Grand Army of the Republic.

Secretary of War—Continued.

Niagara River, investigate water diversion from, etc., and extension of time for temporary permits for water diversion. J. Res. of June 30, 1917 (40 Stat. 241).

Permits for construction of works in navigable waters of Porto Rico. *See* Porto Rico.

Permits to use reservations and other public spaces in city of Washington during encampment. *See* Grand Army of the Republic.

Regulation of use of harbors, etc. Sec. 7, act of Aug. 8, 1917 (40 Stat. 266), amending sec. 4, Act of Aug. 18, 1894 (28 Stat. 162), as amended by sec. 11, act of June 13, 1902 (32 Stat. 374).

Superintendence and control of the Washington Aqueduct, including its rights, appurtenances, and fixtures, to remain under. Act of Sept. 1, 1916 (39 Stat. 713).

Supply tents for temporary use of the sufferers from recent conflagration at Paris, Tex., etc. Act of Apr. 11, 1916 (39 Stat. 50).

Transfer of abandoned military reservation for use as home for care and treatment of persons afflicted with leprosy. Secs. 1-6, Act of Feb. 3, 1917 (39 Stat. 872-3).

Sequoia National Park:

See also National parks.

Removal of trespassers, etc., from. *See* Employment of military force.

Shiloh National Military Park. *See* National military parks.

Shipping fund, emergency. *See* Emergency shipping fund.

Signal Office:

Employment of one radio engineer and such radio assistants as the Secretary of War may deem necessary, but the number of persons so employed, their duties, and compensation to be reported to Congress with the annual estimates. Act of May 10, 1916 (39 Stat. 91).

Employment of skilled draftsmen and such other services as the Secretary of War may deem necessary, but the number of persons so employed, their duties, and compensation to be reported to Congress with the annual estimates. *Id.*

Signal Corps, supply depot for, on Fort Sam Houston Military Reservation, Tex., acquisition of additional land and construction of. Act of Aug. 29, 1916 (39 Stat. 636).

Small arms, authorization for sale of rifles and ordnance to Cuba. *See* Cuba.

Soldiers' Home:

Medical Department of Army authorized to sell medical and hospital supplies to, at contract price. Sec. 1, Act of June 4, 1897 (30 Stat. 54).

See also National Home for Disabled Volunteer Soldiers.

National Home for Disabled Volunteers—

Inspection of. *See* Inspector General's Department.

National Sanitarium at Hot Springs, S. Dak., in connection with. *See* Medical Department.

State and Territorial homes to be paid for care of disabled soldiers and sailors. *See* National Home for Disabled Volunteer Soldiers.

South Carolina flood sufferers of 1916, Secretary of War authorized to relieve with food, supplies of the Quartermaster and Medical Departments, etc.

J. Res. of Aug. 3, 1916 (39 Stat. 434).

South Dakota, North Dakota, and Minnesota, consent of Congress to improvement of boundary waters by. Sec. 5, Act of Aug. 8, 1917 (40 Stat. 266).

Southern Pacific Railroad, post route and military road. *See* Transportation.

- South Pass, Mississippi River, location and extent, regulations for, etc. *See* Corps of Engineers.
- Spanish-American War, reimbursement of State of Kentucky for expenses in aiding to raise volunteers for. Act of Feb. 26, 1917 (39 Stat., vol. 2, 289).
- Spanish-American War, replacing ordnance and ordnance stores carried into. *See* Militia.
- Speedway, Potomac Park, D. C., restrictions on. *See* Corps of Engineers.
- Spies, punishment of, by courts-martial. *See* Military tribunals.
- State or Territorial homes for disabled soldiers and sailors:
- Collections from inmates for support of. *See* Medical Department.
 - Loss of appropriation where permit sale of intoxicating liquors. *See* Medical Department.
- State and Territorial homes to be paid for care of disabled soldiers and sailors. *See* National Home for Disabled Volunteer Soldiers.
- Statue of Liberty on Bedloes Island, New York Harbor, acceptance by Secretary of War of funds raised by New York World through popular subscription for construction of electric lighting plant for illumination of. *See* 5, Act of July 27, 1916 (39 Stat. 411).
- Statutes at Large, Little & Brown's edition of, to be competent as evidence. *See* Military tribunals.
- Suarez, Señor Eduardo, thanks of Congress and gold medal presented to for services as mediator between United States and warring parties in Mexico. *See* Medals.
- Subsistence:
- Allowance of, for Army officers detailed with Coast and Geodetic Survey. *See* Details of Army officers.
 - Allowance to persons traveling on official business outside District of Columbia. *See* District of Columbia.
- Subsistence Department, appointments in, from volunteers. Act of Mar. 2, 1901 (31 Stat. 900).
- Supply depots for the Quartermaster Corps, the Medical Department, the Corps of Engineers, and the Signal Corps, on the Fort Sam Houston Military Reservation, Tex. Acquisition of additional land for and construction of. Act of Aug. 29, 1916 (39 Stat. 636).
- Supreme Court of United States:
- Final judgment or decree rendered by State court of last resort affecting the validity of a treaty, Federal statute, etc., may be reexamined and reviewed in on writ of error. Sec. 2, Act of Sept. 6, 1916 (39 Stat. 726).
 - no Judgment or decree rendered by the Supreme Court of the Philippines, 60 days after passage of this Act shall be reviewed by, upon writ of error or appeal, but may require the case to be certified to it by certiorari or otherwise. Sec. 5, *id.* 727.
- Surgeon General's Office, library of, binding and location. *See* Medical Department.
- Taxes, property owned by the Daughters of the American Revolution in District of Columbia exempted from. Act of Aug. 15, 1916 (39 Stat. 514).
- Telegraph lines, Philippine Islands, statutory regulations governing. *See* Philippine Islands.
- Telegraph operators, military, during Civil War, record and certificate of service to persons who served as. Act of Jan. 26, 1897 (29 Stat. 497).
- Telephone lines, Philippine Islands, statutory regulations governing. *See* Philippine Islands.
- Tents and cots, loan of to the United Confederate Veterans for the encampment to be held in Birmingham, Ala., May, 1916. J. Res. of Feb. 15, 1916 (39 Stat. 10).

Tents, hospital:

Secretary of War authorized to loan ambulances, horses, drivers, etc., and for caring for the sick, injured, and infirm during the forty-ninth encampment of the Grand Army of the Republic. *See* Grand Army of the Republic.

Secretary of War authorized to supply for temporary use of the sufferers from recent conflagration at Paris, Tex., etc. Act of Apr. 11, 1916 (39 Stat. 50).

Tennessee flood sufferers of 1916, Secretary of War authorized to relieve with food, supplies of the Quartermaster and Medical Departments, etc. J. Res., of Aug. 3, 1916 (39 Stat. 434).

Texas Bicentennial and Pan American Exposition to be held at San Antonio, Tex., about Nov. 1, 1918. J. Res. of June 5, 1916 (39 Stat. 217).

Thanks of Congress and gold medal presented to Senors Domicio da Gama, Romulo S. Naon, and Eduardo Suarez for services as mediators between United States and warring parties in Mexico. *See* Medals.

Timber:

Cut on public lands, seizure of. *See* Public lands.

Cutting and felling on public lands. *See* Employment of military force.

Dead and fallen and depredations on Indian Reservations. *See* Indians.

Philippine Islands, cutting or destroying, standing on reservations. *See* Philippine Islands.

Time of war. *See* War, time of.

Tolls, Panama Canal, exemption of coastwise vessels repealed. *See* Panama Canal.

Toll roads and bridges, Philippine Islands, Governor General to approve rates. *See* Philippine Islands.

Tonnage tax, Philippine Islands, levied on foreign vessels entering United States from. *See* Philippine Islands.

Torpedoes, mines, etc., for harbor defenses, injuries to. *See* Corps of Engineers.

Traders, post, vacancies in position of not to be filled. *See* post traders.

Transportation:

Atlantic & Pacific Railroad to be post route and military road. Sec 11, Act of July 27, 1866 (14 Stat. 297).

Explosives for military service. *See* Interstate commerce.

Heavy freight on certain reaches of the Mississippi River, Chief of Engineers or board appointed by Secretary of War, to experiment with in certain type of tows and barges at all stages of water. Act of July 27, 1916 (39 Stat. 403).

Northern Pacific Railroad to be post route and military road. Sec. 11, Act of July 2, 1864 (13 Stat. 370).

Public property to or from fairs or expositions, etc. *See* Interstate commerce.

Quarantine of live stock, notice to carriers. *See* Interstate commerce.

Southern Pacific Railroad to be post route and military road. Sec. 18, Act of July 27, 1866 (14 Stat. 299).

Union and Central Pacific Railroad to be post route and military road. Sec. 6, Act of July 11, 1862 (12 Stat. 493).

Water, refusal of clearance to vessels, etc., destined for a foreign or domestic port which refuses to accept, except for want of space, etc., freight or cargo tendered in good condition, etc. Sec. 36, Act of Sept. 7, 1916 (39 Stat. 738).

Treason against United States, penalties for. Secs. 1, 2, 3, 4, 5, 6, 7, and 8, Act of Mar. 4, 1909 (35 Stat. 1088).

Trespassers:

on General Grant National Park, Sequoia National Park, and Yosemite National Park, removal of. *See* Employment of military force.

on Public lands, removal of. *See* Employment of military force.

Trepassing, national parks, penalty for hunting and shooting on. *See* National parks.

Troops, hereafter women not allowed to accompany as laundresses. *See* Army.

Typewriting machines, restrictions as to price to be paid by Government for.

Sec. 11, Act of Aug. 1, 1914 (38 Stat. 680).

Restrictions as to prices to be paid by Government for. Sec. 4, Act of May 10, 1916 (39 Stat. 120).

Union and Central Pacific Railroad, post route and military road. *See* Transportation.

United Confederate Veterans, loan of cots and tents to for its encampment to be held at Birmingham, Ala., May, 1916. J. Res. of Feb. 15, 1916 (39 Stat. 10).

United States, declared policy of to settle all international disputes by arbitration or mediation. Act of Aug. 29, 1916 (39 Stat. 618).

Vacancies, membership of Board of Managers of National Home for Disabled Volunteer Soldiers not to be filled until such board is reduced to five, etc. *See* National Home for Disabled Volunteer Soldiers.

Vancouver Barracks Military Reservation, Wash., acquisition of additional land for, and construction of suitable target ranges on. Act of Aug. 29, 1916 (39 Stat. 638).

Vessels or other vehicles which decline to accept freight or cargo destined for a foreign or domestic port, except for want of space, when tendered in good condition, etc., refusal of clearance for. Sec. 36, Act of Sept. 7, 1916 (39 Stat. 738).

Vicksburg (Miss.) National Memorial Celebration and Peace Jubilee, appropriation for holding during year 1917, provisions relative to expenditure of, etc. Act of Sept. 8, 1916 (39 Stat. 812).

Vicksburg National Military Park. *See* National military parks.

Volunteers.

Appointment from, in staff departments. Act of Mar. 2, 1901 (31 Stat. 900).

Army officers accountable for public property to secure certificates of non-indebtedness before discharge. *See* Public property.

Reimbursement of State of Kentucky for expenses in aiding to raise, Spanish-American War. Act of Feb. 26, 1917 (39 Stat. vol. 2, 289).

Volunteer homes, disabled volunteer soldiers:

Inspection of. *See* Inspector General's Department.

National Sanitarium at Hot Springs, S. Dak., in connection with. *See* Medical Department.

War Department, sale by city and county of San Francisco of water supply required for military reservations in or near the city of San Francisco, supplied from reservoirs in Hetch Hetchy Valley, Yosemite National Park, on certain conditions. Par. (u), sec. 9, Act of Dec. 19, 1913 (38 Stat. 250).

War Department, transfer, by Navy Department to, of Ford's (Mokuumeume) Island Naval Reservation island of Oahu, Territory of Hawaii, for use for military purposes. Act of Aug. 29, 1916 (39 Stat. 568).

War:

European, relief, protection, and transportation of American citizens in Europe, made necessary by. *See* Europe.

Preference to military traffic in time of. Sec. 2, Act of June 29, 1906 (35 Stat. 586).

War revenue act. Secs. 1-1302, Act of Oct. 3, 1917 (40 Stat. 300-338).

War, time of, manufacture, distribution, storage, use and possession of explosives in. Secs. 1-22, Act of Oct. 6, 1917 (40 Stat. 386-89).

Washington Aqueduct, custody of, regulations for, etc. *See* Corps of Engineers.

Washington Monument, care and maintenance of, etc. *See* Corps of Engineers.

Advertisement or sale of articles in or around, prohibited except on written authority of Secretary of War. Acts of Feb. 9 and Mar. 4, 1909 (35 Stat. 615 and 997).

Washington Memorial Building. *See* Commission of Fine Arts.

Water power, Muskingum River, Ohio, relief for lessees of, whose property was destroyed by Ohio Valley flood of March, 1913. *See* Corps of Engineers.

Water supply, sale of, to War Department by city and county of San Francisco from reservoirs of Hetch Hetchy Valley, Yosemite National Park, required for military reservations in or near the city of San Francisco on certain conditions, etc. Par. (u) sec. 9, Act of Dec. 19, 1913 (38 Stat. 250).

Water, Washington Aqueduct, use of water in, etc. *See* Corps of Engineers.

Waterways Commission:

Appropriation for expenses of. Sec. 18, Act of Aug. 8, 1917 (40 Stat. 269).

Authority for expenditures. *Id.*

Compensation of commission. *Id.*

Composition of. *Id.*

Consideration of rights, etc., of United States, States, etc., respecting proposed projects. *Id.*

Engineers, technical experts, etc., to be employed. *Id.*

International, Secretary of War authorized to pay expenses of. Sec. 4, Act of June 13, 1902 (32 Stat. 373).

Report of plans to Congress. Sec. 18, Act of Aug. 8, 1917 (40 Stat. 269).

River and harbor projects not interfered with, etc. *Id.*, 270.

Subjects for study, etc., designated. *Id.*, 269.

West Indian Islands, temporary government for. Secs. 1-8, Act of Mar. 3, 1917 (39 Stat. 1132).

West Virginia flood sufferers of 1916, Secretary of War authorized to relieve with food, supplies of the Quartermaster and Medical Departments, etc. J. Res. of Aug. 24, 1916, supplementing J. Res. of Aug. 3, 1916 (39 Stat. 534).

White House, furniture for and inventory of property in. *See* Corps of Engineers.

White man marrying Indian woman not to acquire tribal rights. *See* Indians.

Widows of colored and Indian soldiers. *See* Pensions.

Winfield Scott Fort Military Reservation, Cal., construction of road through the Presidio of San Francisco to connect the road of with the city and county road leading to Fort Miley. Act of Aug. 29, 1916 (39 Stat. 637).

Witnesses:

Civilian, Philippine Islands, fees to. *See* Philippine Islands.

Courts-martial, attendance of, refusal to testify. *See* Military tribunals.

Wisconsin, Secretary of War to convey all title and interest of United States to "Portage Levee" to the city of Portage or State of. Act of July 27, 1916 (39 Stat. 401).

Women, hereafter not allowed to accompany troops as laundresses. *See* Army.
 Women of the Civil War, memorial monument to commemorate. Contributions by the Government for site and building; commission to approve site and plans and to supervise expenditures; Commission of Fine Arts also to approve plans; memorial to be permanent headquarters of American Red Cross; and American Red Cross to be charged with and responsible for care, keeping, and maintenance of memorial and grounds, but title to site and building to be in the United States. Act of Oct. 22, 1913 (38 Stat. 233).

Women's Titanic Memorial Association, erection in public grounds, District of Columbia, of a memorial to the heroes of the *Titanic*. Sec. 7, Act of Mar. 3, 1917 (39 Stat. 1046).

Wrecks, obstructions to navigation, removal of. *See* Corps of Engineers.

Yellowstone National Park. *See* National Parks.

Yosemite National Park. *See* National Parks.

Removal of trespassers, etc., from. *See* Employment of military force.

Sale to War Department by city and county of San Francisco of water supply required for military reservations in or near the city of San Francisco on certain conditions, etc., being waters from reservoirs of Hetch Hetchy Valley within. Par. (u), sec. 9, Act of Dec. 19, 1913 (38 Stat. 250).

INDEX.

[References are to paragraphs unless pages are indicated. Articles of War are indicated by their numbers, the letters A. W. following the number of the article.]

ABANDONED PROPERTY:

During insurrections. See *Insurrection*.

ABSENCE:

for absence of a particular official, see the official.

Employees of executive departments. See *Executive departments*.

Enlisted men. See *Enlisted men; Absence*.

Leaves of. See *Leaves of absence*.

Officers. See *Officers, Army; Absence*.

ACADEMIC BOARD:

Military Academy. See *Military Academy*.

ACADEMIC STAFF:

Military Academy. See *Military Academy*.

ACCIDENTS:

Aviators, payment to beneficiary, 889n.

Injuries. See *Injuries to Government employees*.

Laborers, etc. See *Laborers*.

ACCOUNTANTS:

See also *Trading with enemy; Alien-property custodian*.

Auditing accounts abroad, number and compensation, 205h.

Restriction upon payments to, 81a.

ACCOUNTING OF ARMY SUPPLIES:

Regulations for, 1259a.

ACCOUNTING OFFICERS. See also Public moneys.

Audit particular account, 201.

Bonds of, sureties on, when released, 398.

Court of Claims decree binding on, 280.

Decisions of, revised, 209.

Disbursing officers' books, 124.

Discharge certificate returned by, 214.

Fraudulent claims, 287.

Method of auditing accounts and claims, investigation of, 40e.

Property lost in military service, 217.

Rejected nominations reported to, 11.

Report of claims allowed, 216.

Set-off; enforcing, 239.

Stoppages; empowered to remove, 641.

Volunteers, claims of, 218.

Warrants, 237.

ACCOUNTING OF PUBLIC MONEY:

For accounts of a particular office or officer, see the specific title. See also *Public moneys*.

Auditors. See *Auditors*.

Claims. See *Claims*.

Comptroller of the Treasury. See *Comptroller of the Treasury*.

ACCOUNTING OF PUBLIC MONEY—Con.

DEFICIENCIES—

Notice to surety on bond, 397.

EXAMINATION OF ACCOUNTS—

Administrative, regulations for, 197.

Administrative, under Dockery Act, 198.

in District of Columbia, 212.

of Officers in District of Columbia, 212.

Reexamination of settled accounts, 211.

Fiscal year, 195.

FORM OF ACCOUNTS—

Entry for each item, 409.

False entry by officer, etc., penalty, 171.
of Unexpended balances, reappropriated, 191a.

PRESERVATION OF ACCOUNTS—

Auditor's accounts to be preserved, 210.

Regulations by Secretary of Treasury, 208.

RENDERING OF ACCOUNTS—

Deficiencies, immediate report, 397.

Delinquent, annual report of, 199.

Failure to render, penalty, 421.

Fiscal year observed in publishing, 195.

Form prescribed by Comptroller, 200.

Time regulated, penalty for delay, 196.

REVISION OF ACCOUNTS—

Limitation of one year, 207.

Payment accepted, precludes right to, 208.

Suspended accounts, revision after settlement, 208.

SETTLEMENT OF ACCOUNTS—

Between bureaus, 775g, 808, 901b.

Between Military Academy and bureaus, 1179a.

Comptroller's construction of statutes, 209.

Comptroller's decision to govern, 202.

Comptroller may at any time order, 201.

Conclusive on acceptance of payments, 208.

Contracts relating to, deposit of, 1216.

Deficiencies, immediate report of, 397.

Disallowed, not reopened, 211.

of Line officers, 213.

Place of settlement, 215.

Procedure to secure, 294.

Suit to recover balance due, 203.

Suspension by Secretary of Treasury, 207.

Warrants, 237.

ACCOUNTS. See also *Accounting of public money; Accounting officers; Accounting of public money.*

Clothing, oaths to, 153.

Company commander's, 1260.

of Deceased officers and men, 1059, 1060.

of Disbursing officers. See *Disbursing officers.*

MILITARY ESTABLISHMENT—

Agents, accountants, etc., number and compensation, 205h.

Appropriation for expenses of auditing abroad, 205p.

Assistant auditor, compensation, 205g.

Assistant auditor, powers, 205l.

Assistant comptroller, compensation, 205g.

Assistant comptroller, powers, 205i.

Audit of, at place other than seat of Government, 205a.

Authority to administer oaths to American citizens, 205s.

Balances, certification and conclusiveness of, 205c.

Balances, payment by disbursing officers abroad, 205d.

Civil service, application to employees residing in foreign countries, 205j.

Compensation of officers, etc., abroad, limit as to, 205v.

Date of termination of war with Germany as to auditing abroad, 205w.

Details of employees for duty outside District of Columbia, 205o.

Employees auditing abroad, additional duties, 205r.

Examination of books, etc., by representatives of auditor and comptroller, 205k.

Filing contracts settled abroad, 205m.

Manner of performing duties as to, 205b.

Oaths of office of employees residing in foreign countries, 205j.

Performance of duties in foreign countries, 205c.

Preservation of vouchers and files, 205f.

Reopening, etc., settlement within one year after close of war, 205e.

Restoration of employees to former positions, 205n.

Sale of army stores to employees abroad, 205t.

Settled abroad, administrative examination of, 205l.

Special disbursing agents of appropriation for, 205q.

Subsistence of employees residing in foreign countries, 205j.

Termination of auditing abroad after close of war, 205n.

Traveling expenses of employees in foreign countries, 205j.

of Panama Canal, examination, 200a.

Report of, 183, 183a.

of Soldiers' Home. See *Soldiers' Home.*

ACCOUNTS—Continued.

for Supplies or services, 1189.

Travel, oaths to, 65.

ACCURED RIGHTS:

Revision of statutes not to affect, 315.

ACKNOWLEDGMENTS. See also *Oaths.*

Before whom may be taken, 63.

Officers in foreign places, general authority of notaries public, 114th A. W.

ACTING COMMISSARIES. See *Commissaries.*

ACTING COOKS:

Hospital Corps. See *Hospital Corps.*

ACTING DENTAL SURGEONS. See also *Dental Surgeons.*

Appointment, pay, etc., 750.

Commutation of quarters, 668a, 668b.

Longevity pay, 751.

ACTING HOSPITAL STEWARDS. See *Hospital stewards.*

ACTING INSPECTORS GENERAL:

Detail of, 459b.

ACTING JUDGE ADVOCATES. See *Judge advocates.*

ACTING QUARTERMASTERS:

Staff duty, retired officers assigned to active duty as, 975b.

ACTIVE DUTY:

of Medical reserve officers. See *Medical Reserve Corps.*

of Retired officers. See *Retirement, Army.*

Retired enlisted men. See *Retirement; Army; Enlisted men.*

ACTIVE LIST:

Transfer to. See *Retirement, Army.*

ACTORS:

Uniform, authorized to wear, 1010b.

ACTUARIES:

See *Bureau of War-Risk Insurance; Military and Naval Insurance.*

ADDING MACHINES:

Exchange by departments authorized, 75a.

Exchange by Signal Corps, 883a.

ADDITIONAL OFFICERS. See *Officers, Army.*

ADDITIONAL PAYMASTERS. See *Paymasters, Army.*

ADJUTANT:

Horses allowed, 554.

ADJUTANT GENERAL. See also *Adjutant General's Department.*

Authorization, 431, 431a.

Control of disciplinary barracks vested in, 477a.

Rank, pay, and allowances, 373a, 431a.

Roster of citizens qualified as officers, 1573.

ADJUTANT GENERAL, MILITIA. See also *Militia and National Guard.*

of District of Columbia, 959, 1335b, 1373, 1374.

of States and Territories, 1335, 1335a, 1335b.

ADJUTANT GENERAL'S DEPARTMENT.

See also *Military Secretary's Department*.

Adjutant General. See *Adjutant General*.

Appropriations, 435.

Assistant Adjutants General, 437.

Certificates of service issued, 458.

Composition, 431, 431a.

Consolidation, 434.

Creation, 436.

Details to, 936.

Organization, 431.

Part of Regular Army, 331a.

Promotions, 431.

Record and Pension Office. See *Record and Pension Office*.

Vacancies filled by details, 936.

Vacancies filled by promotion, 431.

ADJUTANT, MILITARY ACADEMY. See *Military Academy*.

ADMINISTRATIVE EXAMINATION OF ACCOUNTS. See *Accounting of public money*.

ADMINISTRATORS:

Failure to recognize priority of United States, 222.

ADMIRALS, NAVY:

Relative rank with officers of Army, 352, 352a.

ADMIRALTY JURISDICTION OF UNITED STATES:

Offenses committed within, 1316a.

ADVANCES OF PAY. See *Pay of Army*.

ADVANCES OF PUBLIC MONEY. See *Public moneys*.

ADVERTISING:

For a particular article or in a particular office, see the specific title.

Army supplies. See *Supplies, Army*.

by Executive departments. See *Executive departments*.

Hospital stewards, quarters, 550, 762.

Printing, Quartermaster's Department, 1236, 1236a, 1236b.

Purchase of arms not exceeding \$50,000, waived, 1610.

Purchase of Field Artillery ammunition, limitation, 1611.

Purchase of motor ambulances without, 1198a.

Purchases for Soldiers' Home, 1512.

Purchase of tools, gauges, etc., without, 1608.

for Quartermaster's supplies, 1205, 1236, 1236a, 1236b.

for Transportation of Army, 528.

ADVISORY BOARD:

Military and naval insurance. See *Military and Naval Insurance*.

ADVISORY COMMITTEE FOR AERONAUTICS. See *Aeronautics, Advisory Committee for*.

AERIAL MACHINES:

See *Signal Corps, Aviation Section*.

AERONAUTICS, ADVISORY COMMITTEE FOR:

See also *Aircraft Board; Aviation Section, Signal Corps*.

Annual report, 889aa.

Appropriation for experimental work, 889z, 889il.

Compensation for members, 889w.

Composition, 889v.

Consolidation of balance of appropriations, 889il.

Duties, 889x.

Rules of Conduct, 889y.

AEROPLANES:

Exchange in part payment for new, 1261b, 1261c.

AERO SQUADRONS:

Signal Corps, 890b, 890l.

AFFIDAVIT. See also *Oaths*.

to Accompany copy of contract, 1212.

Officers in foreign places where Army is serving, 114 A. W.

Persons in armed forces to homestead entry, etc., before whom made, 1272l.

Volunteer officers on discharge as to public property, 1383h, 1383l.

AGE LIMIT:

of Chaplains. See *Chaplains*.

of Citizens subject to military duty, 327, 1322a.

Draft in National Army, 1638, 1656.

Draft in Signal Corps, 890e.

AGENTS:

Auditing accounts abroad, number and compensation, 205h.

of Corporations and United States, 1250; 1684.

Disbursements by officers as, for officers of Ordnance Department, 832a.

Disbursements by officers as, for officers of Quartermaster Corps, 499a.

Employment, restrictions, 27.

Exchange of funds by, 401.

Fictitious entries by, penalty, 171.

Food and fuel conservation. See *Food and Fuel Conservation*.

Foreign governments, acting as without notice to Secretary of State, 1672.

Indian. See *Indian agents*.

Special; bond, 248.

of Surety companies, 390.

AIDS:

to General officers, 351.

to General staff officers, 369.

AIRCRAFT:

See also *Signal Corps, Aviation Section; Airplane; Airships*.

Basic patents for manufacture or development of, 889ft-889hh.

AIRCRAFT BOARD:

See also *Aeronautics, Advisory Committee for; Signal Corps, Aviation Section*.

Administrative expenses, funds for, 889ggg.

Annual report to Congress of salaries of clerks, etc., 889ill.

AIRCRAFT BOARD—Continued.

Appointment of chairman, etc., 889bbb.
Civilian members, 889bbb.

Clerks, technical experts, etc., for pay, 889fff.

Compensation of civilian members, 889ccc.

Composition, 889bbb.

Duplication of existing office or organization, 889hhh.

Duties, 889ddd, 889eee.

Equipment and supplies for, 889ggg.

Pay of technical experts, advisers, etc., 889fff.

Purpose for which created, 889aaa.

Recommendations as to contracts, 889eee.

Rent of offices, 889ggg.

Tenure of board and office of its members, 889ccc.

AIRPLANE. See also *Aircraft; Airships*.
War materials, sale of to foreign Governments, etc., 1255a, 1255b.

AIRSHIPS. See also *Aircraft; Airplane*.

Appropriation for purchase, 889bb.

Purchase, manufacture, etc., of, 889pp.

Report as to land and buildings required for, as to coast defense, 1274d.

ALASKA:

Assignment of pay accounts of officers in, 740.

Cable lines in, foreign owned, 897.

Discrimination against uniform, 1010.

Estimates for extension of cable lines in, 899.

Military telegraph lines in, 897, 899.

National Guard, 1321a.

Posse comitatus, use of Army as, 1477.

Road commissioners in, commutation, 669.

Service in, counting toward retirement, 1041.

Service in, entitles to benefits of National Home for Disabled Volunteer Soldiers, 1502b.

Traveling expenses, officers in, 681.

ALCOHOLIC DRINKS. See also *Intoxicating liquors*.

Study of, in Military Academy, 1161.

ALCOHOLIC LIQUORS:

See *Intoxicating liquors*.

ALIEN LABOR:

In Canal Zone, 1225, 1226.

ALIEN PROPERTY CUSTODIAN:

See *Trading with enemy, Alien Property Custodian*.

ALIENS:

See *Enemies, alien*.

Enlistment in Army, 1029.

Naturalization of. See *Naturalization*.

ALLOTMENTS:

Contingent funds, 188.

ALLOTMENTS OF PAY:

See also *Family allowances; Pay of enlisted men; Pay of officers*.

Age limit of child or grandchild, exception, 1483v.

ALLOTMENTS OF PAY—Continued.

Brother defined as to, 1483x.

Child defined as to, 1483t.

Coast Guard, when required to make, 1483ee.

Commissioned officer, defined as to, 1483y.

Enlisted man defined as to, 1483z.

Enlistment defined as to, 1483aa.

Grandchild defined as to, 1483u.

Injury defined to include disease as to, 1483cc.

INVOLUNTARY—

Amount of allowance and, not to exceed amount of support, 712u.

Amount of compulsory, 712d.

Amount of monthly dependent upon then existing conditions, 712z.

Amount to divorced wife in addition to other, 712f.

Amount to illegitimate child, 712c.

Applicable to enlisted men of military forces, 712b.

Apportionment of allowances and, between Classes A & B, 712v.

Compulsory and voluntary, 712c.

Compulsory prerequisite to payments of family allowance to class A, 712n.

Conditions prerequisite to payments of family allowances to class B, 712r, 712s.

Exemption for cause from additional as to family allowances, class B, 712s.

Investigations as to allowances and, 712x-712z.

Payment of, to Treasury Department for distribution, 712w.

Man defined as to, 1483z.

Marriage, presumption of in connection with, 1483s.

Military or naval forces defined as to, 1483ee.

Minors, payments to, 1483ff.

National Naval Volunteers, when required to make, 1483ee.

Naval Reserves, when required to make, 1483ee.

Officers. See this title *Commissioned officer; Warrant officer*.

Parent defined as to, 1483w.

Pay defined as to, 1483dd.

Sister defined as to, 1483x.

VOLUNTARY—

Amounts and regulations for, 712g.

Civilian employees on duty abroad, 711a, 712a.

Enlisted men, 711, 711a, 712, 712a.

Officers, 711a, 712a.

Warrant officer defined as to, 1483y.

ALLOWANCES, FAMILY:

See *Family allowances*.

ALLOWANCE TO OFFICERS:

See *Pay of Army*.

ALLY OF ENEMY:

See *Trading with enemy*.

ALTMAN, CLYDE R.:

Late cadet, appointment and retirement as second lieutenant, 1162g.

AMBULANCE COMPANIES:

See also *Hospital Corps*.
Organization, 768.

AMERICAN ARTICLES:

See *American material*.

AMERICAN CITIZENS:

See also *Citizens*.

Authority to administer oaths to, 205s.
Expatriated by enlistment in foreign armies, repatriation of, 1468c-1468h.

AMERICAN CONSULAR OFFICERS:

See *Trading with enemy, Vessels*.

AMERICAN COUNTRIES:

Sale of arms and munitions of war to, 1475.

AMERICAN DESIGNERS:

Sale of ordnance to, 846.

AMERICAN EXPERIENCE TABLE OF MORTALITY:

Military and naval insurance, calculations based upon, 1483mmmm.
Military and naval insurance, premium rates based upon, 1483rrrr.

AMERICAN MATERIAL:

Preference to be given in contracts, 1205, 1234, 1234a.

AMERICAN NATIONAL RED CROSS:

Annual reports, 104a, 104b.
Auditing annual reports, 104a, 104b.
Detail of Medical officers with, 728b.
Loan of sanitary equipment to, 775b, 775c, 775d.
Sale of medical supplies to, 775a.
Sale of ordnance to, 844.
Storage of supplies, on military reservations, 1279b.
Temporary buildings in public grounds, D. C., 1279c, 1279d.

AMERICAN SOCIETY OF CIVIL ENGINEERS:

Reports of tests of iron and steel to, 869.

AMMUNITION. See also *Ordnance*.

Appropriations for, 831.
Contracts, 8-hour law to be observed, 1231.
Exchange of, with militia. See *Militia*.
Field Artillery reserve tools, gauges, etc., for manufacture, 1611.
Issue to colleges and State institutions, 955, 955b.
Issue to executive departments, 847.
Issue to militia. See *Militia; National Guard*.
Issue of, to schools, 955a.
Obtaining from soldier, penalty, 220.
Purchase or manufacture for target practice, 831a.
Sale of, to rifle clubs, 1368.
Tools, gauges, etc., for manufacture, purchase, 1609.

AMMUNITION BATTALIONS:**NATIONAL ARMY—**

Draft, organize and equip, 1636.

AMMUNITION BATTERIES:**NATIONAL ARMY—**

Draft, organize and equip, 1636.

AMMUNITION TRAINS:

Composition, 356a.

AMOUNT APPROPRIATED:

How to determine, 411.

ANACOSTIA FLATS:

Use of, by Government Hospital for Insane, 1524a.

ANCIENT PRIVILEGES:

See this title under *National Guard; Reserve Officers' Training Corps*.

ANNUAL LEAVE. See also *Leaves of absence*.

of Employees of arsenals, 857, 857d-857h.

of Employees of executive departments, 50, 51.

Holidays not to be counted in computing, 52.

ANNUAL REPORTS. See under *Executive departments; Reports, annual*.**ANTIETAM BATTLEFIELD:**

Superintendent of, 1299.

ANTITOXINS, BOARD ON:

Surgeon General member of, 780.

APPEAL:

to Supreme Court. See *Supreme Court of the United States*.

APPOINTMENTS:

To a particular office, or in a particular branch of the service, see the specific title.

of Chaplains. See *Chaplains*.

in Civil service. See *Civil Service*.

of Officers. See *Officers, Army*.

Presidential; notice to Treasury, 10.

Recess, power to make, 8.

Recess, salary of appointees, 168.

of Second lieutenants. See *Officers, Army*.

in Staff departments. See *Staff departments*.

Temporary, restrictions on, 16, 17.

APPROPRIATIONS:

for a particular office or service, see the specific title. See also *Public moneys*.

Amount of, how determined, 411.

Applied solely to objects for which made, 187.

Aviation Section, etc., Signal Corps, 889zz.

Balances to be applied only to year of, 193.

Certain, available for obligation incurred prior to passage of act, 44f.

Certain, available for years 1917 and 1918, 44e.

Contingent funds. See *Contingent funds*.

Contracts, relation to. See *Contracts*.

Disbursement. See *Disbursement of public money*.

Disposition of balances after two years, 191, 192.

Estimates for. See *Estimates*.

APPROPRIATIONS—Continued.

Exhausted, examination and report on claims under, 215b, 215c.

Expenses of auditing accounts abroad, 205p.

Family allowances, military and naval, 712aa.

Fiscal year in, 195.

Land-site funds available for other aviation purposes, 1274f.

Lapsed, examination and report on claims under, 215b, 215c.

Lump sum. See *Lump-sum appropriations*.

Mileage to officers in Aviation Section, 688a.

Mileage to officers in Ordnance Department, 688b.

Military and naval compensation, 1483aaaa.

Military and naval insurance, 1483yyyy, 1483zzzz.

Must be specifically made, 187a.

Payment of additional salaries from certain, prohibited, 35a.

Permanent, how determined, 194.

Printing and binding publications for land forces, 112c.

Reappropriation of unexpended balances, 191a.

Ships, reimbursement for cost of those turned over to Army, 534g.

Special disbursing agents of, 205q.

Treasury drawn upon only in accordance with, 186.

Unexpended balances, use as new, 191a.

War Risk Bureau, 1483n.

ARCHAEOLOGY:

of Ruins upon national lands, 1286, 1287.

ARMAMENT. See also *Ordnance*.

Inventions important to, 1616.

Sale of personal, for sentimental reasons, 845.

ARMED FORCES:

Affidavits of persons in, as to home-stead entry, etc., before whom made, 1272l.

ARMORED MOTOR-CAR MACHINE-GUN COMPANY. See *Machine-gun company*.ARMORIES AND ARSENALS. See also *Ordnance Department*.

Abolishment of useless, 856.

Ammunition. See *Ammunition*.

Annual account of expenses, 855.

Annual leave of employees, 857, 857d-857h.

Appropriations, 861, 862.

Arms. See *Arms*.

Arson of, penalty, 1316.

Cannon. See *Cannon*.

Compensation of employees of, 854.

Composition of employees of, 853.

Destruction of tools by employees, 858.

EMPLOYEES—

Civilian, serving abroad, accrued leaves of absence for, 858l.

ARMORIES AND ARSENALS—Continued.

EMPLOYEES—Continued.

Discretion as to time when leave can be allowed, 857f.

Enticing away from, penalty, 859.

Examination of title to sites for, 258.

Exempt from jury duty, 860.

Expenditures upon patentable inventions, 865.

Expenses apportioned among years, 861.

Holidays not affected by annual leave, 857h.

Laborers injured in employment. See *Laborers*.

Leaves of absence to, 857, 857d-857h.

Obtaining, communicating, etc., unlawful information concerning, penalty, 1317j-1317k.

Pro rata leave to, 857e.

Repeal of provisions for monthly pay, 854b.

Returns of ordnance at, 834.

Reward to employees for suggestions, 864.

Sick leave not affected by annual leave, 857h.

Total annual leave with pay, 857g.

Time-measuring devices not to be used, 864a, 864b.

Useless, to be abolished, 856.

ARMS.

See also *Munitions Plants; Ordnance*.

Accountability. See *Articles of War*.

Ammunition. See *Ammunition*.

Board to investigate Government manufacture, 1606.

Citizen's Training Camp, 1574, 1576.

Deductions from pay for damage to, 690.

Distribution to militia. See *Militia*.

Embezzlement, punishment, 1264.

Exchange with militia. See *Militia*.

Executive departments, issue to, 847.

Intended for export. See *Neutrality*.

Issue of ammunition and, to home guards, 1361f.

Issue of to colleges, 942, 951-955.

National Guard. See *National Guard*.

Obtaining unlawfully, 220.

In Possession of unauthorized persons, 1262.

Purchase, competition waived, limit, 1610.

Report of damages to, 836.

Right to bear, 1319.

Sale to rifle clubs, 1367, 1368.

Sale by soldiers prohibited, 1262.

Theft, punishment, 1264.

ARMS AND MUNITIONS OF WAR:

Exportation of, to American countries, 1475.

ARMY:

Adjutant General's Department. See *Adjutant General's Department*.

Aids. See *Aids*.

ARMY—Continued.

APPOINTMENTS—

of a particular class of officers or in a particular department, see the specific title.

of Officers of line. See Officers, Army.

APPROPRIATIONS—

See particular office or service for which made.

Available for purchase of reserve supplies, 616a.

Artillery. See Artillery.

BANDS—

Of a particular arm of the service, see the specific title.

Additional compensation prohibited, 701, 701a.

Cavalry. See Cavalry.

Civil employment, enlisted men, 701, 701a.

Coast artillery. See Artillery.

Competition, enlisted men with civilians, 701, 701a.

Pay of enlisted men, 701.

BRIGADE—

Composition, 356, 356a, 356b, 357.

Machine-gun companies, additional, for Infantry and Cavalry, 356d.

Organization may be increased or decreased, 356b.

Staff of commander, 359, 360.

Colors captured, collected, 149.

COMMANDER IN CHIEF—

See also President of the United States.

President designated as, 2.

Commissary General. See Commissary General.

Composition, 329a.

Composition in time of war, 328.

Conscription. See National Army, Draft; Selective-service act.

Corps of Engineers. See Engineers, Corps of.

Corps, organization of typical, in time of war, 356a, 356b.

Corps, organizations may be increased or decreased, 356b.

Detached Officers' List. See Detached Officers' List.

Disbursing officers. See Disbursing officers, Army.

Diseases in. See Contagious diseases.

DIVISION—

Armored motor-car machine-gun for, composition, 356a.

Composition, 356, 356a, 356b, 357.

Composition of, staff commander, 359.

Composition of, typical in time of war, 356a.

Ordnance officer on staff of commander, 816.

Organizations may be increased or decreased, 356b.

Staff officers may be volunteers, 360.

Draft. See National Army; National Guard; Selective service act.

ARMY—Continued.

Enlisted Men. See Enlisted men.

Enlistment in. See Enlistment.

Field artillery. See Artillery.

Field clerks. See this title Army Field Clerks.

General Staff Corps. See General Staff Corps.

INCREMENTS—

Filling vacancies caused by increase, 331c.

Immediate increase in event of war, 331c.

Immediately raise, organize, officer, and equip all, 331c.

Increase in Army to be made in five, 331b.

Limitation on number of appointment of increased officers on account of second, 331b.

Ordnance Department, immediate increase authorized, 809b.

Organize all immediately at maximum strength, 331c.

Indian Scouts. See Indian scouts.

Infantry. See Infantry.

IN TIME OF WAR—

Immediately organize all increments at maximum strength, 331c.

Judge Advocate General's Department. See Judge Advocate General's Department.

Machine-gun company. See Machine-gun company.

Medical Department. See Medical Department.

Military Secretary's Department. See Military Secretary's Department.

Militia. See Militia.

National Army. See National Army.

Native organizations. See Native organizations.

Noncommissioned officers. See Noncommissioned officers.

Officers. See Officers, Army.

Ordnance Department. See Ordnance Department.

Organization in time of war, 357, 356a.

Organize immediately all increments at maximum strength, 331c.

Pay. See Pay of Army.

Pay Department. See Pay Department.

Paymaster General. See Paymaster General.

Paymaster's clerks. See Pay Department.

Philippine Scouts. See Philippine Scouts.

Porto Rico Regiment. See Porto Rico Regiment.

POSSE COMITATUS, USE OF ARMY AS— in Alaska, allowed, 1477.

Prohibited, 1480.

Printing and binding procured by contract, etc., during hostilities, 112b-112d.

Quartermaster Corps. See Quartermaster Corps.

ARMY—Continued.

Quartermaster General. See *Quartermaster General*.

Rations. See *Rations, Army*.

Recommissioning former officers in, 931a.

Reenlistment. See *Enlistment*.

REGIMENTS. See also *Cavalry; Corps of Engineers; Field Artillery; Infantry*.

Composition not to be increased, 356c.

Number not to be decreased, 356c.

Register. See *Army Register*.

Regular Army. See *Regular Army*.

Regulations. See *Army Regulations*.

Relative rank. See *Rank, Army*.

Reserve. See *Regular Army Reserve*.

Retirement. See *Retirement, Army*.

Selective-service act. See *Selective-service act*.

Signal Corps. See *Signal Corps*.

Staff departments. See *Staff departments*.

STRENGTH—

During exigencies, 333, 332b.

Enlisted, of line, 332, 332a–332f.

Organize all increments immediately at maximum, 331c½.

Subsistence Department. See *Subsistence Department*.

Supplies. See *Supplies, Army*.

Surgeon General. See *Surgeon General*.

Surgeons. See *Surgeons, Army*.

Tactical Organizations of, 356, 356a.

IN TIME OF WAR—

Composition, 328, 329a.

Organization, 357, 356a.

Strength, 333, 332b, 332e, 331c½.

Transports. See *Transports, Army*.

Uniform. See *Uniform, Army*.

Veterinarians. See *Veterinarians; Veterinary Corps*.

Volunteers. See *Volunteer Army*.

ARMY AND NAVY MEDAL OF HONOR ROLL. See *Medal of honor roll*.

ARMY AND NAVY UNION:

Badges of, etc., 1021, 1022.

ARMY CORPS:

Composition, 356a, 356b, 357.

Composition of staff, 358.

Organizations may be increased or decreased, 356b.

Part of Regular Army, 331a.

When authorized, 357, 356a.

ARMY FIELD CLERKS:

Duty in War Department forbidden, 362d.

Employed and assigned by Secretary of War, 362d.

Headquarters clerks to be known as, 362c.

Pay, 362c.

Subject to Articles of War, 362c.

ARMY FIELD ENGINEER SCHOOL:

Purpose, 1183.

ARMY HEADQUARTERS:

Part of Regular Army, 331a.

ARMY HOSPITALS:

See *Hospitals*.

ARMY OR NAVY:

Requisitioning food, fuel, etc., for, 1702.

ARMY REGISTER:

Enlisted and volunteer service noted, 326.

Lineal rank separately for each arm, 326.

Retired officers included, 988.

Schedule of pay and emoluments, 325.

Volunteers serving in Civil War entered, 1007.

Wholly retired officers not included, 982.

ARMY REGULATIONS:

Promulgated by President, 324.

Volunteer forces subject to, 1385.

ARMY RESERVE. See *Regular Army Reserve*.

ARMY SCHOOL FOR BAKERS AND COOKS:

Prizes for graduates, 1188.

ARMY SCHOOL OF THE LINE:

Purpose, 1183.

ARMY SERVICE DETACHMENTS:

Part of Regular Army, 331a.

ARMY SERVICE MEN:

at Military Academy, 1168, 1169.

ARMY SERVICE SCHOOLS:

National Guard, personnel at, 1334a–1334c, 1334d.

Translator, 1183a.

ARMY SIGNAL SCHOOL:

Purpose, 1183.

ARMY STORES:

Sale of, to employees abroad, 205t.

ARMY SUPPLIES. See *Supplies, Army*.

ARMY TRANSPORTS. See *Transports, Army*.

ARMY WAR COLLEGE:

Assignments to duty at, restrictions, 369c.

Establishment and scope, 1182.

President of, assistant to Chief of Staff, 366f.

Supervision by General Staff Corps, 369c.

ARREARS TO UNITED STATES:

Compensation not paid to one in, 693.

ARRESTS:

See also *Articles of War*.

of Deserters. See *Desertion*.

of Enlisted men, for debt, 1067.

in Indian country. See *Indian country*.

ARSENALS. See *Armories and arsenals*.

ARSON:

of Military posts, etc., 1316.

ARTICLES OF WAR (pp. 577–622):

Absence without leave, 61 A. W.

Absence without leave, time lost during, to be made good, 107 A. W.

Accouterments, losing, spoiling, etc., 84 A. W.

ACCUSED—

Arraignment, 21 A. W.

Counsel, 17 A. W.

ARTICLES OF WAR—Continued.

ACCUSED—Continued.

Copy of charges, 70 A. W.
 Entitled to copy of record, 111 A. W.
 Accuser or witness for prosecution not to be member, 8, 9 A. W.
 Affirmation, 19 A. W.
 Alarms, false, 75 A. W.
 Allowing duels, 91 A. W.
 Ammunition, wasting, 84 A. W.
 Application to Marine Corps, 305; 2 A. W.
 Approval of sentences, 46, 47 A. W.
 Army field clerks subject to, 362c.

ARREST, 69 A. W.

Duration of, 70 A. W.

Release, 70 A. W.

Arson, 93 A. W.

Assaults 65, 93 A. W.

Assistant Judge Advocate, 11, 116 A. W.

Battalion, definition, 1 A. W.

Branding, 41 A. W.

Burglary, 93 A. W.

CADETS—

Confirmation of sentence, 48 A. W.

Subject to military law, 2 A. W.

Summary courts-martial, not triable by, 14 A. W.

Camp, retainers to, 2 A. W.

CHALLENGES—

to Duels, 91 A. W.

to Members, 18 A. W.

Charges, copy to be furnished accused, 70 A. W.

CIVIL AUTHORITIES—

Arrest of deserters, 106 A. W.

Delivery of offenders to, 74 A. W.

Civil suits, removal of, 117 A. W.

Coast and Geodetic Survey subject to, when, 534j.

Command, when different corps join, 120 A. W.

COMMANDING OFFICERS—

Disciplinary powers, 104 A. W.

Disrespect to, 63 A. W.

Sale of victuals, not to be interested in, 87 A. W.

Company, definition, 1 A. W.

Conduct prejudicial to good order, etc., 96 A. W.

Conduct unbecoming an officer and gentleman, 95 A. W.

Confinement, 69-73 A. W.

Confirmation of sentences, 48, 49 A. W.

Congress, disrespectful words concerning, 62 A. W.

Contempts of court, 32 A. W.

Contemptuous words, 62 A. W.

Continuances, 20 A. W.

COURTS OF INQUIRY, 97-103 A. W.—

Authentication of proceedings, 103 A. W.

Composition, 98 A. W.

Constitution, 97 A. W.

Evidence, proceedings as, 27 A. W.

Oaths of members and recorder, 100 A. W.

ARTICLES OF WAR—Continued.

COURTS OF INQUIRY—Continued.

Opinion, when furnished, 102 A. W.

Powers, 101 A. W.

Procedure, 101 A. W.

Record as evidence, 27 A. W.

Witnesses, 101 A. W.

Cowardice, 44, 75 A. W.

Crimes, 92, 93 A. W.

Damages to stores, 83 A. W.

Date when become effective, p. 622.

Death sentence, 43, 48, 51 A. W.

Deceased persons, effects, 112 A. W.

Definitions, 1 A. W.

Delivery of offender to civil authority, 74 A. W.

Depositions, 25, 26 A. W.

DESERTION, 58-60 A. W.—

Advising, 59 A. W.

Arrest by civil officials, 106 A. W.

Enlistment without discharge, 29 A. W.

Entertaining deserter, 60 A. W.

Limitation on prosecution for, 39 A. W.

Making good time lost, 107 A. W.

Penalty, 58 A. W.

Resignation without acceptance, 23 A. W.

Destruction of property, 105 A. W.

Discharge, 108 A. W.

Disciplinary Barracks, 42 A. W.

DISCIPLINE—

Conduct prejudicial to, 96 A. W.

Maintenance of, on march and in quarters, 89 A. W.

Powers of commanding officers, 104 A. W.

Dismissal of officer, 48, 51, 118 A. W.

Disorders, 68 A. W.

Disrespectful words, 62, 63 A. W.

Disrespect to commanding officer, 63 A. W.

Draft, forces raised by, subject to, 1640, 2 A. W.

Drunk on duty, 85 A. W.

Drunk on post, 86 A. W.

Duelling, 91 A. W.

Embezzlement, 93, 94 A. W.

Enacting clause, sec. 1342, R. S., p. 580.

Enemy, corresponding with or relieving, 81 A. W.

Enlisted men, Medical Department of Navy, serving with Marine Corps, subject to, 305a.

Enlisted Reserve Corps subject to, 1594.

Enlisting without discharge, 29 A. W.

Enlistments, unlawful, penalty for accepting, 55 A. W.

False alarms, 75 A. W.

False muster, 56 A. W.

False returns, 57 A. W.

Fines imposed prior to taking effect of, p. 622.

Flogging, 41 A. W.

Fraud against Government, 94 A. W.

Fraudulent enlistment, 54 A. W.

Frays, 68 A. W.

ARTICLES OF WAR—Continued.

GENERAL COURTS-MARTIAL—

- Accuser, 8 A. W.
- Appointment, 8 A. W.
- Approval of sentences, 46-53 A. W.
- Assistant judge advocate, 11, 118 A. W.
- Challenges, 18 A. W.
- Closed sessions, 30 A. W.
- Composition, 4, 5 A. W.
- Confinement, 42 A. W.
- Continuances, 20 A. W.
- Depositions, 25, 26 A. W.
- Dismissal of officers, 48, 51, 118 A. W.
- Execution of sentences, 46 A. W.
- General officers, sentences respecting, 48 A. W.
- Judge advocate, 11, 17, 19 A. W.
- Jurisdiction, 12 A. W.
- Limits of punishment, 45 A. W.
- Number of officers, 5 A. W.
- Oaths, 19 A. W.
- Order of voting, 31 A. W.
- Pardon and mitigation, 50 A. W.
- Procedure, rules of, 38 A. W.
- Rank of officers composing, 16 A. W.
- Records, disposition, 35 A. W.
- Records, preparation, 33 A. W.
- Voting, 31 A. W.
- Witness for prosecution, 8 A. W.
- General officers, sentences, respecting, 48 A. W.
- Good order on march, etc., 89 A. W.
- Government, frauds against, 94 A. W.
- Gratification or reward for muster, 56 A. W.
- Horses, losing, injuring, etc., 84 A. W.
- Incriminating questions, 24 A. W.
- Inquests, 113 A. W.
- Insubordination, 65 A. W.
- INTERPRETER—
 - Appointment, 115 A. W.
 - Oath, 19 A. W.
- JUDGE ADVOCATE—
 - Advice to accused, 17 A. W.
 - Advice to court, 30 A. W.
 - Appointment, 11 A. W.
 - Assistant, 11, 116 A. W.
 - Duties as prosecutor, 17, 116 A. W.
 - Oaths, 19, 114 A. W.
 - Record of proceedings, 17, 35 A. W.
- Larceny, 93 A. W.
- Lighthouse Service, when subject to, 534c.
- LIMITATION OF PROSECUTION—
 - in Desertion, 39 A. W.
 - in General, 39 A. W.
- Limits of punishment, 45 A. W.
- Manslaughter, 93 A. W.
- Marines, offenses committed prior to or subsequent to detachment, 2 A. W.
- Marines, when subject to, 305, 2 A. W.
- Marking, tattooing, etc., 41 A. W.
- Mayhem, 93 A. W.
- Medical officers of Navy serving with Marine Corps, when subject to, 305a.
- Members of courts-martial, 4 A. W.

ARTICLES OF WAR—Continued.

- Military commissions, 15 A. W.
- Military discipline, conduct prejudicial to, 96 A. W.
- Military prisoner serving sentence of court-martial, 2 A. W.
- Military property, loss, 83 A. W.
- Militia subject to, 1342; 2 A. W.
- Misbehavior before enemy, 75 A. W.
- Murder, 92 A. W.
- Muster, false, 56 A. W.
- Mutiny, 66 A. W.
- National Army forces subject to, 1640.
- National Guard, subject to, 1339b, 1342a, 2 A. W.
- Neglect of duty, 96 A. W.
- Neglects, etc., prejudicial to military discipline, 96 A. W.
- OATHS—
 - Courts of inquiry, 100 A. W.
 - Courts-martial, 19 A. W.
 - Enlistment, 109 A. W.
 - Incident to administration, 114 A. W.
 - Officers with general powers of notary public in foreign places, 114th A. W.
- Offenses committed prior to taking effect of, p. 622.
- Officer, definition, 1 A. W.
- Officer and gentleman, conduct unbecoming, 95 A. W.
- Officers, Medical Department, Navy, serving with Marine Corps, when subject to, 305a.
- Officers' Reserve Corps; subject to, 1547, 1572.
- Officers to keep good order in commands, 89 A. W.
- Officers, triable by general courts-martial only, 16 A. W.
- Order to be kept, 89 A. W.
- Pardon and mitigation, 50 A. W.
- Penalties imposed prior to taking effect of, p. 622.
- Penitentiaries, confinement in, 42 A. W.
- Perjury, 93 A. W.
- PERSONS SUBJECT TO, 2 A. W.
 - Army field clerks, 362c.
 - Army paymasters' clerks, 630, 634.
 - Convicts in military prisons, 493, 2 A. W.
 - Drafted forces, 2 A. W.; 1640.
 - Enlisted Reserve Corps, 1594.
 - Lighthouse Service, 534c.
 - Marine Corps when serving with Army, 305, 2 A. W.
- Military prisoners under sentence adjudged by courts-martial, 2 A. W.
- Militia in actual service, 1342, 2 A. W.
- National Guard in service, 1339b, 1342a, 2 A. W.
- Officers' Reserve Corps, 1547, 1572.
- Retainers to the camp, etc., 2 A. W.
- Retired enlisted men, 2 A. W.
- Retired officers, 988, 2 A. W.
- Soldiers' homes, inmates, 1521, 2 A. W.
- Volunteer forces, 1385, 2 A. W.
- Pleas, 21 A. W.

ARTICLES OF WAR—Continued.

President, contemptuous or disrespectful words concerning, 62 A. W.

PRISONER—

Charges against, investigation, 70 A. W.

Confinement, 69 A. W.

Refusal to receive, 71 A. W.

Release, 73 A. W.

Report of, 72 A. W.

While serving sentence adjudged by court-martial, 2 A. W.

Process to obtain witnesses, 22 A. W.

PROPERTY—

Capture, 79 A. W.

Loss, 83 A. W.

Waste, 84 A. W.

Provost courts, 15 A. W.

Public Health Service officers subject to, when, 534g.

PUNISHMENT, 41-45 A. W.

Confinement, 42 A. W.

Cowardice or fraud, for, 44 A. W.

Death, 43 A. W.

Fines and penalties imposed prior to taking effect of, p 622.

Limits of, 45 A. W.

Offenses committed prior to taking effect of, p 622.

Prohibited, 41 A. W.

Quarrels, 68 A. W.

Quitting guard, 61 A. W.

Rank of Regular and Volunteer officers, 119 A. W.

Rape, 92 A. W.

Read, once in 6 months to troops, 110 A. W.

RECORDS—

Effect of irregularities, 37 A. W.

General courts-martial, 33, 35 A. W.

Party entitled to copy, 111 A. W.

Special courts-martial, 34, 36 A. W.

Summary courts-martial, 34, 36 A. W.

Recruits, articles to be read to, 110 A. W.

Redress of wrong, 105, 121 A. W.

Relieving enemy, 81 A. W.

Repealing clause, p 622.

REPORTER—

Appointment, 115 A. W.

Oath, 19 A. W.

Report of prisoners, 72 A. W.

Reproachful speeches, 90 A. W.

Retainers to camp, 2 A. W.

Retired enlisted men, 2 A. W.

Retired officers, 2 A. W.

Returns, false, 57 A. W.

Robbery, 93 A. W.

Safeguard, forcing of, 78 A. W.

Second trial for same offense, 40 A. W.

Sedition, 66 A. W.

Selective Service Act, forces raised by subject to, 1640; 2 A. W.

SENTENCES—

Approval, 46, 47 A. W.

Confirmation, 48, 49 A. W.

Death, 43, 48, 51 A. W.

Dismissal of officer, 48, 51, 118 A. W.

General officers, 48 A. W.

ARTICLES OF WAR—Continued.

SENTENCES—Continued.

Limits of, 45 A. W.

Pardon and mitigation, 50 A. W.

Penitentiary, 42 A. W.

Prohibited, 41 A. W.

Publication of certain, 44 A. W.

Suspension of, 51-53 A. W.

Sleeping on post, 86 A. W.

Soldier, definition, 1 A. W.

Soldiers' Home, 1521, 2 A. W.

SPECIAL COURTS-MARTIAL—

Accuser, 9 A. W.

Appointment, 9 A. W.

Approval of proceedings, 46 A. W.

Composition, 4, 6 A. W.

Jurisdiction, 13 A. W.

Records, disposition, 36 A. W.

Records, preparation, 34 A. W.

Witness for prosecution, 9 A. W.

Spies, 82 A. W.

Standing mute upon arraignment, 21 A. W.

Stores captured, 79 A. W.

Striking superior officer, 64 A. W.

SUMMARY COURTS-MARTIAL—

Appointment, 10 A. W.

Composition, 4, 7 A. W.

Effects of deceased persons, 112 A. W.

Inquests, 113 A. W.

Jurisdiction, 14 A. W.

Records, disposition, 36 A. W.

Records, preparation, 34 A. W.

Suppression of mutiny, 67 A. W.

Surrender, compelling of, 76 A. W.

Suspension of sentence, 51-53 A. W.

Tattooing, 41 A. W.

Time lost to be made good, 107 A. W.

Troops, Articles of War to be read to, 110 A. W.

Troops, subject to Articles of War, 2 A. W.

Twice in jeopardy, 40 A. W.

Victuals, sale of, commanding officers not to be interested in, 87 A. W.

Violence to persons bringing in provisions, 88 A. W.

Voting, order of, by courts-martial, 31 A. W.

Watchword, disclosure of, 77 A. W.

WITNESSES—

Courts of inquiry, 101 A. W.

Incriminating questions, 24 A. W.

Inquests, 113 A. W.

Oath, 19 A. W.

Process to obtain, 22 A. W.

Refusal to testify, 23 A. W.

Wrongs, redress of, 121 A. W.

ARTIFICERS:

Detail to organizations, 822.

Pay, 697.

ARTIFICIAL LIMBS:

Director of Bureau of War Risks may furnish, 1483bbb.

Furnished by Surgeon General, 782.

ARTILLERY. See also *Artillery Corps*.

- Assistant band leader, pay, 695a.
- Band leader, pay, 695a.
- Barracks and quarters, limit of cost, 547, 549.
- Chaplains, 902, 903.
- Chief of Artillery. See *Chief of Coast Artillery*.
- COAST ARTILLERY—**
 - Additional chaplains, 903.
 - Bands, 1086a, 1089.
 - Barracks for, limit of cost, 549.
 - Branch of Artillery Corps, 1082.
 - Chief. See *Chief of Coast Artillery*.
 - Company organization, 1088.
 - Composition, 1086a, 1087.
 - Constitute a corps, 1086, 331a.
 - Coxswains, pay, 1086b.
 - Duties, 1087.
 - Enlisted men—number, 1086a.
 - Limitation on number of appointment of increased officers, 331b $\frac{1}{2}$.
 - Maximum enlisted strength, 1088.
 - Militia organizations. See *Militia*.
 - National Guard. See *National Guard*; *Coast Artillery*.
 - Noncommissioned officers, 1086.
 - Noncommissioned officers, number, 1086a.
 - Noncommissioned officers, pay, 695, 695a.
 - Officers, 1086a.
 - Organization, 1086-1089.
 - Pay of mechanics and chief mechanics, 697.
 - Radio sergeant, pay, 695a.
 - Rated men, 1086b.
 - Regulate use of navigable waters as to target practice, 1315c, 1315d.
 - Separation from Field Artillery, 1084.
 - Subscriptions may be paid in advance, 1083a.

COMPOSITION, 1083.**FIELD ARTILLERY—**

- Additional pay for qualifying as expert first-class gunners, 699.
- Ammunition, reserve purchase without advertising, 1611.
- Assistant packmaster, 1091b.
- Bands, 1090, 1094.
- Battalion, ammunition, 1090b.
- Battalion, organization, 1091g.
- Battery, ammunition, 1090b.
- Battery, organization, 1091, 1091a.
- Brigade, composition, 356a.
- Cargador, 1091b.
- Cavalry regiments, provisional organization as, 1071b, 1071c.
- Chaplains, 903.
- Composition of units, 1082, 1090a, 1090b, 1091a-1091g.
- Detachments, part of Regular Army, 331a.
- Duties, 1082, 1093.
- Enlisted men, for headquarters and supply companies, additional, 1091b.
- Enlisted men for mountain batteries, additional, 1091b.

ARTILLERY—Continued.**FIELD ARTILLERY—Continued.**

- Enlisted men for war units, 1090b.
- Headquarters companies, composition, 1091c, 1091d.
- Headquarters companies, increase, 1091h.
- Horseshoer, 703.
- Limitation on number of appointment of increased officers, 331b $\frac{1}{2}$.
- Maximum enlisted strength, 1091.
- Mechanics, pay, 695a, 697, 698.
- Mountain battery, additional enlisted men, 1091b.
- Noncommissioned officers, pay, 695, 695a, 1092.
- Officers for war units, 1090b.
- Officers, retired before separation from coast, status, 1084a.
- Packmaster, 1091b.
- Parks, 1090b.
- Provisional organization of cavalry regiments as, 1071b, 1071c.
- Regimental organization, 1090, 1090c.
- Regimental supply sergeant, pay, 695a.
- Regiments, designation of, for vocational training, 1293d-1293g.
- Regiments, number of, 331a.
- Saddler, pay, 695a.
- Second lieutenants, assignment to batteries at artillery schools for instruction, 1183b.
- Second lieutenants, instruction, details, 1183b.
- Separation from Coast Artillery, 1084, 1085.
- Staff officers, detail of, 1090.
- Supply companies, composition, 1091c, 1091f.
- Supply companies, increase, 1091h.
- Tools, gauges, etc., for manufacture of reserve ammunition, 1611.
- Wagoner, pay, 695a.
- War organizations, 1090b.
- Horses, restrictions upon purchase, 539, 540.
- Horseshoer, pay, 695a.
- Medical personnel of volunteer regiments, 1385.
- Mess sergeants, pay, 695a.
- Militia. See *Militia*.
- Musician, pay, 695a.
- OFFICERS—**
 - Colonel, detailed Chief of Artillery, 1982.
 - Promotions on separation of coast and field, 1084.
 - Rank. Marine Corps service counted, 353a.
 - Retired before separation of coast and field, status, 1084a.
 - Vacancies, after promotion due to reorganization, 1101-1103.
 - Vacancies, caused by reorganization, 1085.
- Private, first class, pay, 695a.
- Quarters, limit of cost, 547, 547a, 549.

ARTILLERY—Continued.

- Regiments, discontinued, 1081.
- Regiments, number of, 331a.
- Sergeant bugler, pay, 695a.
- Sergeants, additional, details, 1332a.
- Supply sergeant, pay, 695a.
- VETERINARY SURGEONS—**
 - Pay and allowances, 1078.
 - Retirement, 1079.
- Volunteer regiments, medical personnel, 1385.

ARTILLERY CORPS:

- See also *Artillery*.
- Chief of Artillery. See *Chief of Coast Artillery*.
- Coast Artillery. See *Artillery*.
- Composition, 1082.
- Establishment and organization, 1081–1084.
- Officers. See *Artillery; Officers*.

ARTILLERY PARKS, 1090b.

- NATIONAL ARMY—**
 - Draft, organize and equip, 1636.

ARTILLERY SCHOOLS:

- Assignment of second lieutenants to batteries for instructions at, 1183b.
- Items of appropriation, 1185.

ARTISANS:

- See also *Laborers*.
- Rate of pay, 562.

ASSAY OFFICERS:

- Depositories of public funds, 181.
- Superintendent, assistant treasurer, 181.

ASSIGNEE:

- See *Trading with enemy*.

ASSIGNMENTS:

- of Claims before allowance, 240.
- of Commissioned officers, 935.
- of Contracts. See *Contracts*.
- of Pay accounts. See *Pay accounts*.
- of Pay, enlisted men. See *Pay of enlisted men*.
- of Retired officers, active duty. See *Retirement, Army*.

ASSISTANT ADJUTANTS GENERAL:

- See also *Adjutant General's Department*.
- Duties, 437.

ASSISTANT AND CHIEF CLERK, WAR DEPARTMENT:

- See also *War Department*.
- Authorization, 144.
- May sign requisitions, etc., 145.

ASSISTANT BAND LEADER:

- Pay, 695a.

ASSISTANT, CHIEF OF BUREAU OF INSULAR AFFAIRS. See *Insular Affairs, Bureau of*.**ASSISTANT ENGINEER:**

- Pay, 695a.

ASSISTANT INSTRUCTORS:

- at Military Academy. See *Military Academy*.

ASSISTANT LIBRARIAN:

- Military Academy, pay, 1134.

ASSISTANT IN ORDINANCE BUREAU:

- Principal, pay, 817.

ASSISTANT PACKMASTER, 1091b.**ASSISTANT PROFESSORS:**

- Military Academy. See *Military Academy*.

ASSISTANT SECRETARY OF WAR:

- See also *Secretary of War*.
- Appointment, pay, etc., 142.

ASSISTANT TREASURERS OF THE UNITED STATES:

- See also *Public moneys and Treasurer of the United States*.
- Duties as fiscal agents, 185.
- Report of unchanged balances, 183.
- Station or location, 180.
- Superintendents of mints may be, 181.
- Terms of office, 180.

ASSISTANTS TO CHIEF OF STAFF:

- General officers of line, two, 366f.
- President of Army War College to be one of, 366f.

ASSISTANT VETERINARIANS. See *Veterinary Corps*.**ASSOCIATE PROFESSORS:**

- Military Academy, See *Military Academy*.

ASSOCIATION DUES:

- Payment from public moneys, 81.

ATTACHMENT:

- Compensation for death or disability exempt from, 1483uuu.
- Property. See *Trading with enemy, Alien Property Custodian*.

ATTORNEY GENERAL:

- See also *Justice, Department of*.

COUNSEL—

- Condemnation proceedings, District of Columbia, 263a.
- in Examination of witnesses, 137, 264.
- to Represent United States in suits, 263, 293.

DUTIES—

- See also, this title, *Opinions*.
- in Condemnation proceedings, 1276, 263a.

- Information to be furnished by departments, 139.

OPINIONS—

- to Heads of departments, 262.
- to President, 261.
- Publication and distribution, 265.
- on Title to sites for forts, etc., 258.
- to War Department, 260.

ATTORNEYS:

- See also *Attorney General; Powers of attorney*.
- See also *Trading with enemy, Alien Property Custodian*.
- Condemnation proceedings, District of Columbia, 263a.
- Department heads not to employ, 138.
- Department of Justice to furnish, 263.
- Employees of United States as, restrictions, 430.
- Ex-employees as, prohibition, 140.
- ATTORNEYS' FEES:**
 - Arrears of pay of Volunteers, Civil War, forbidden, 218b.

ATTORNEYS' FEES—Continued.

Deductions for, 219.

Fees, widows' pensions, restrictions, 1498g.

Military and naval insurance judgments to include, 1483www, 1483xxx.

AUDIT OF ACCOUNTS:See *Military Establishment*.**AUDITOR FOR WAR DEPARTMENT:**See also *Auditors*.

Accounts of Soldiers' Home, 1509.

Assistant, audit of accounts abroad, 205g.

Assistant, powers of, 205i.

Claims for private property, recommendation of Secretary of War, 162a.

Duties enumerated, 204, 205.

Examination of books, etc., of disbursing officers, etc., by representatives of, 205k.

AUDITORS:See also *Auditor for War Department; Public moneys*.

Accounts to be preserved, 210.

Audit particular account, 201.

Certified balances to be final, 207.

Contracts to be filed with, 1216.

Duties enumerated, 204, 205.

May suspend accounts, 208.

Outstanding checks, annual report of, 183, 183a.

Requisitions for advance of money, 196, 237.

to Superintend recovery of debts, 206.

AUTOMATIC PISTOLS:

Distribution to militia, 1370.

AUTOMOBILES:

Passenger-carrying, purchase restricted, 82a.

AVIATION. See *Aeronautics*.**AVIATION DUTY:**See also *Signal Corps, Aviation Section*.

Detached-service law does not cover, 384, 937, 879a.

Details on, 889, 889g.

Married officers eligible, 889r.

AVIATION FIELDS:See also *Aviation stations; Military posts; Military reservations; Proving grounds; Reservations*.

Donations of sites, 1274a.

Lease or purchase of, 1274f.

Purchase of lands, 1274b.

AVIATION MECHANICIANS. See *Signal Corps, Aviation Section*.**AVIATION MOTOR:**

Appropriation for developing, 889dd.

AVIATION OFFICERS. See *Signal Corps, Aviation Section*.**AVIATION POSTS:**

Acquisition of sites for, 1274e, 1274f.

AVIATION SCHOOLS:

Acquisition of sites for, 1274e, 1274f.

Foreign, expenses of special courses in, 889uu.

Instruction of Coast Guard, 889ee.

Instruction of National Guard, 1355d.

AVIATION SCHOOLS—Continued.

North Island site, California, taking possession of, 1274g-1274j.

AVIATION SECTION. See *Signal Corps*.**AVIATION STATIONS:**See also *Aviation fields; Military posts; Military reservations; Proving grounds; Reservations; Signal Corps, Aviation Section*.

Acquisition of sites for, 1274e-1274j.

North Island site, California, taking possession of, 1274g-1274j.

AVIATION STUDENTS:See *Signal Corps, Aviation Section*.**AVIATION TROOPS:**

Land-site funds available for shelter, etc., of, 1274f.

AVIATORS:

Appointment from civil life, 889t.

Discharge, 889u.

Grade created, 889t.

Pay and allowances, 889u.

AWARD OF CONTRACTS:See also *Contracts*.

Army supplies, 1199.

BADGES:See also *Insignia; Medals of honor*.

of Army corps, who may wear, 1019.

Campaign, issued as article of uniform (note), 571.

of Chinese relief expedition, 1024.

of Military societies, who may wear, 1020.

of Regular Army and Navy Union, 1021, 1022.

of Spanish-American War societies, 1023.

Wearing unlawfully, penalty, 1025.

BAGGAGE:

of Enlisted men discharged for disability, 721a.

Lost in military service, 217, 217a.

Reimbursement for excess, 526.

BAKERIES. See *Post bakeries*.**BALANCES:**See also *Accounts, Military Establishment*.of Accounts. See *Accounts*.of Appropriations. See *Appropriations*.

Report to Congress of unexpended, 193a.

BAND INSTRUMENTS:

Exchange for new, 1261a.

BAND LEADER:

Pay, 695a.

BANDS:Army. See *Army*.Cavalry. See *Cavalry*.Coast Artillery. See *Artillery*.

Competition of members with civilians prohibited, 701, 701a.

Engineers. See *Engineers, Corps of*.Field Artillery. See *Artillery*.Infantry. See *Infantry*.Military Academy. See *Military Academy*.Recruiting depot. See *Recruiting depots*.**BALLOON MECHANICIANS:**See *Signal Corps, Aviation Section*.

BANK OR BANKS:

Defined. See *Trading with enemy*.

BANKS: See *National banks*.**BANKERS:**

Unlawful receipt of public money, penalty, 427.

BARRACKS:

See also *Quarters, Army*.

for Artillery. See *Artillery*.

Cost, limit, 547, 547a.

Erection, approval of Secretary of War, 546.

Estimates for permanent, to be approved, 545.

Fortification sites to embrace sides for, 803.

Land for camp sites, etc., and, 547c.

in Philippines, report of expenditures, 548.

Plans and estimates for permanent, 1289a.

for Seacoast Artillery, limit on cost, 549.

Temporary, aviation stations on public lands, 889rr.

BATTALION:

Field Artillery, 1091g.

Field Artillery, ammunition, 1090b.

Infantry, 1095b.

Signal Corps, 890b, 890i, 890j.

BATTALION SERGEANT MAJOR:

Headquarters Corps of Cadets, 1176b.

BATTALION SUPPLY SERGEANT:

Pay, 695a.

BATTERIES. See *Artillery*.**BAWDY HOUSES:**

See *Houses of ill fame*.

BEANS:

See *Food and fuel conservation*.

BEDDING FOR HORSES:

Detached officers entitled, 559, 560.

BEGINNING OF THE WAR:

Defined. See *Trading with enemy*.

BELLIGERENTS:

Armed vessels, sending out with intent to deliver to, 1469q.

Discrimination against American ships, 1469e.

Interned persons leaving jurisdiction, punishment, 1469u.

Vessels, attempted illegal departure, 1469b, 1469f.

Vessels, use of forces to enforce regulations, 1469g.

BENEFICIARIES:

See also *Injuries to Government employees; Military and Naval compensation*.

of Enlisted men, to be designated, 1061, 1062.

Evidence to support claim, 68.

Medical examination of, 70.

of Officers, to be designated, 1061, 1062.

Payments to, creditors' claims, 69.

of Pensions, classes to receive, 1482.

BIDDER:

See also *Contracts*.

to Accompany bid with guaranty, 1207.

Notified of opening bids, 1208.

BIDS. See also *Contracts*.

Opening, regulations for, 1206.

for Public works, 1209.

for River and harbor improvements, 1210.

BILL OF COMPLAINT:

in Restraint of distress warrant, 234, 235.

BLACKSMITHS:

Detalled as horseshoers and farriers, pay, 703.

Pay, 697-698.

BLANKS:

Public Printer to furnish, 112.

BOARD:

of Commissioners, Soldiers' Home. See *Soldiers' Home*.

of Militia officers. See *Militia*.

of Officers for investigation of frauds, 64.

of Ordnance and fortifications. See *Ordnance and Fortifications, Board of*.

of Road commissioners, Alaska, 669.

for Testing iron and steel. See *Ordnance Department*.

of Visitors. See *Military Academy*.

BOARDS:

Detail, pay, restrictions on, 408.

to Investigate awards or medals of honor, 1014i-1014m.

to Investigate Government manufacture of arms, 1606.

on Mobilization of industries essential to military preparedness, 1605.

BOATS:

See also *Vessels*.

Purchase or hire for military use, 535.

BOND:

See also *Surety companies*.

of Acting disbursing clerks, 24.

Basic patents in litigation acquired for development of aircraft, 889hh.

Bids to be accompanied by, 1207.

on Contracts for public buildings, 1217.

Depositories, alien enemy property custodian, to give, 1424bb.

of Disbursing clerks, 23.

of Disbursing officers, 388.

Examination as to sufficiency, 394.

Failure to examine or renew, 396.

of Military prison commandant, 482, 486.

of Militia officers. See *Militia*.

of Officers of Quartermaster Corps, 387, 387a.

on Ordnance issued to colleges, 951.

of Paymasters, etc., 185.

Premium, payment of, 393.

Regulation and increase, 388.

Renewal, 395.

of Special agents of departments, 248.

Suit upon, records as evidence, 247.

Sureties, duration of liability, 396.

Sureties notified of deficiencies, 397.

Sureties, priority, 223.

BOND—Continued.

- Sureties released after 5 years, 398.
- of Treasurer, Soldiers' Home, 1506.
- of Vessels during insurrection, 1440.

BOND-AIDED RAILROADS:

- Transportation of officers, 686, 687.
- Transportation of troops and munitions, 531.

BONUS:

- See also *Bounties*.
- Premium, cash reward or, to employees, 864a, 864b.
- for Reenlistment, 706.

BOOK OF ESTIMATES:

- See also *Appropriations; Estimates*.
- Annual estimates, executive departments, 86.
- Date for transmission, 87.
- Estimates for river and harbor improvements, 98.
- Information on lump-sum appropriations, 96, 96a.
- Proceeds of sales, statement of, 100, 100a.
- Proceeds of sales, statement separate from, 100a.
- Statement of business conditions, 102.

BOOKS:

- See also *Documents*.
- of Accounting officers. See *Accounting officers*.
- of Disbursing officers. See *Disbursing officers; Publications*.
- Purchase of law books restricted, 78.

BOUNTIES:

- for Enlistment prohibited, 1643.
- for Reenlistment in Army reserve, 1031.
- for Reenlistment in time of war, 1031c.
- for Reenlistment within three months, 706.

COUNTY LAND:

- Enlisted men, deserters, 1053.

BOY SCOUTS:

- Permitted to wear uniform, 1010b.

BRANCH PRISONS:

- See also *Disciplinary barracks*.
- See also *Military prison*.
- Authorization, 476, 476a.
- Change of name, 475a.

BREVET RANK:

- See also *Rank, Army*.
- Assignment according to, only in war, 1004.
- Civil War officers holding, uniform, 1008.
- Command under, right to, 354, 1003, 1004.
- Dates from service for which brevetted, 1001.
- for Gallantry in Indian wars, 1000, 1002.
- to Officers for heroism in war, 999.
- Officers of Spanish War, uniform, 1009.
- Pay, no increase on account of, 638.
- Title according to actual rank, 1006.
- Uniform according to actual rank, 1005.
- Uniform of Civil War officers, 1008.
- Uniform of Spanish War Officers, 1009.

BREVET RANK—Continued.

- Volunteer and militia officers eligible, 1385.
- Volunteer officers of Civil War, uniform, 1007.

BRIBERY:

- Acceptance of bribe, penalty, 1253, 1254.
- Offering bribes, penalty, 1251.

BRIGADE:

- Composition, 356, 356a, 356b, 357.
- Machine-gun companies, additional, for Infantry and Cavalry, 356d.
- Organization of, may be increased or decreased, 356b.
- Organization of typical in time of war, 356a.
- Signal Corps, organization, 890i, 890j.
- Staff of commander, 359, 360.

BRIGADIER GENERAL, ARMY:

- Aids to, 351.
- Command of, 356.
- Fuel and forage allowed, 554.
- Increase in number, 350b.
- Line, appointment in peace, 350a.
- Pay, 635.
- in Quartermaster Corps, office terminated, 502.
- Relative rank with Navy, 352, 352a.
- Staff of, 359.

BROTHER:

- See *Houses of ill fame*.

BROTHER:

- Defined, as to allotments, family allowances, etc., 1483x.
- Family allowances. See *Family allowances*.

BUGLERS:

- Pay, 695a.

BUILDINGS:

- See also *Public buildings*.
- in District of Columbia, rental, 118-120, 99b.
- Renting storage accommodations in District of Columbia, 99b.
- Statements as to rented, 99, 99a.

BUREAU CHIEFS:

- of Executive departments. See *Executive departments; Staff departments*.
- of War Department. See *War Department*.

BUREAU OF EFFICIENCY:

- Auditing accounts and claims, investigation of, 40e.
- Civil Service Commission, investigation of methods of, 40f.
- Creation, 40b.
- Duplication of work, investigation, 40d, 40j.
- Duties, 40c, 40d.
- Efficiency ratings, establishment, 40c, 40d.
- EXECUTIVE DEPARTMENTS—
- Classification, salary, and efficiency of employees, 40i.
- Duplication of work in, 40d, 40j.
- Information, access to records, etc., 40h.

BUREAU OF EFFICIENCY.—Continued.**EXECUTIVE DEPARTMENTS.—Continued.**

Rates of pay of employees compared with State and municipal employees, 40g.

Rates of pay, employees of States and municipalities, 40g.

BUREAU OF INSULAR AFFAIRS. See *Insular Affairs, Bureau of.*

BUREAU OF STANDARDS:

Cooperation in standardizing gauges, etc., 1611a.

BUREAU OF WAR RISK INSURANCE:

See also *Military and Naval insurance.* Actuaries, deputies, assistants, etc., 1483f.

Annual estimate for, 1483m.

Application of civil service rules to employees, exceptions, 1483o.

Appropriation for expenses, 1483n.

Certain sections applicable only to Division of Marine and Seamen's Insurance, 1483c.

Claim agents and attorneys, compensation, 1483e.

Commissioner of Marine and Seamen's Insurance, salary, 1483b.

Commissioner of Military and Naval Insurance, defined, 1483bb.

Commissioner of Military and Naval Insurance, salary, 1483b.

Contempt. See this title *Disobedience to subpoenas, etc.*

Deputies, assistants, actuaries, etc., 1483f.

DIRECTOR—

Artificial limbs, trusses, etc., furnished by, 1483bbb.

Awards for death and disability compensation by, 1483aaaa.

General powers and duties, 1483d.

Hospital, medical, and surgical services, etc., furnished by, 1483bbb.

Power to administer oaths, subpoena witnesses, etc., 1483i.

Reports of Government and State officials to, 1483j.

Salary, 1483a.

Disobedience to subpoenas, etc., 1483k.

Division of Marine and Seamen's Insurance, 1483b.

Division of Military and Naval Insurance, 1483b.

Employees, fees, allowances, and salaries of, 1483p.

Establishment of, 1483a.

Information, etc., to persons in military service, etc., 1483gg.

MARRIAGE—

Evidence of, as to claimants, 1483q.
Legal, according to law of domicile, 1483r.

Military and naval insurance. See *Military and naval insurance.*

Procedure of divisions, rules respecting, 1483e.

Proofs and evidence, etc., 1483e.

BUREAU OF WAR RISK INSURANCE—Continued.

Record of insurance held by officers and enlisted men, 1483hh.

Regulations made by director, 1483e.

Review of compensation awards, 1483kkk.

Service of surgeons of Army and Navy, 1483g.

Subpoenas, disobedience of, etc., contempt, 1483k.

Witnesses, fees, and mileage, 1483l.

BURIAL EXPENSES:

Death prior to discharge or resignation, 1483pp.

Of Officers, enlisted men, etc., 1063.

Transportation of remains of employees, 84.

CABINET OFFICERS:

For a particular Cabinet officer, see the specific title; see also *Executive departments; Heads of departments.*

Succession to office of President, 5, 6.

CABLE COMMUNICATION:

Censorship of, during present war, 1425e, 1425f.

Evading censorship, punishment, 1425f.

CABLEGRAM:

Alien enemy. See *Trading with enemy, License.*

CABLE LINES:

Military, injury to, 900.

CADET. See also *Articles of War.*

Corps. See *Military Academy.*

Mess. See *Military Academy.*

Store. See *Military Academy.*

CALIBERS OF GUNS, 852.**CALIFORNIA ASYLUM:**

See also *Government Hospital for Insane; Insane persons.*

Insane of Army, 1526.

CAMPAIGN BADGES:

See *Badges.*

CAMP EQUIPMENT:

See also *National Guard, training; Citizens' Training Camp.*

Issues for use of Militia, 1358.

Militia, appropriation for, 1351, 1352.

Returns of commanding officers of, 573.

CAMP SITES:

Land for, and other military purposes, 547c.

Sale of intoxicating liquors at, 1295b.

Suppression of houses of ill fame near, 1295e, 1295f.

CAMPS OF INSTRUCTION:

See also *Citizens' Training Camps; National Guard, training.*

Militia, annual attendance, 1331.

CANAL ZONE. See also *Panama; and Injuries to Government employees, Panama Canal.*

Accounts in, examination, etc., 200a.

Alien labor in, eight-hour law, 1225, 1226.

Jurisdiction of courts of, over offenses under Espionage titles, 1475r.

CANAL ZONE—Continued.

Jurisdiction of courts of, over offenses under Trading with Enemy Act, 1425uu.

National Guard, organization, 1321a.

Trespass on defenses of, jurisdiction, 1315b.

Tour of duty in, limit of, 330a.

VESSELS IN PORTS OF—

Destruction or injury of, punishment, 1469k.

Employment of land or naval forces for enforcement of regulations, etc., 1469l.

Failure to comply with regulations as to anchorage, etc., penalty, 1469j.

Regulations governing anchorage and movement, 1469h, 1469i.

Seizure and forfeiture of, when, 1469j.

Taking control and possession of, 1469h, 1469i.

Use of, as resort for persons conspiring against United States, 1469k.

CANDIDATES FOR PROMOTION:

Trial of, by summary court prohibited, 14 A. W.

CANNON:

See also *Ordnance*.

Caliber, determination of, 852.

Donation of condemned, to patriotic organizations, 849a, 849b.

Eight-hour law to be observed, 1231.

Issue of obsolete, to homes, etc., 160.

Public tests of rifled, 851.

Sale of obsolete, to public parks, 840.

Sale of smooth-bore, experimental purposes, 841.

CANNON BALLS:

See also *Ordnance*.

Loans or gifts, 849.

CANTONMENTS. See *Camp sites*.

Sale of intoxicating liquor at, 1295b.

Suppression of houses of ill-fame, near, 1295c, 1295f.

CAPITOL:

Telegraph lines, 127, 128.

CAPTAIN, ARMY:

of a particular branch of the service, see *specific title*.

Fuel and forage allowed, 554.

Pay, 635.

of Porto Rico regiment, recommissioned, 346a-346c.

Relative rank with Navy, 352.

Vacancies due to reorganization act, 1101.

CAPTIVITY:

Pay and allowances during, 720.

CAPTURED COLORS:

Collection of, 149, 149a.

CAPTURED PROPERTY:

During insurrections. See *Insurrections*.

CARGADOR, 1091b.**CARRIAGES:**

Purchase for executive departments, 82.

CARRIERS:

See also *Common Carriers*.

Collection from, for damages, 845, 217a.

CARTRIDGE BAGS:

Material for, free of duty, 828.

CASEMATE ELECTRICIANS:

See also *Electricians*.

Increase of number prohibited, 700.

Pay for qualifying, 699, 699a.

CATTLE:

Driving of, on Government lands, 1314.

Driving of, on Indian country, 1402.

CAVALRY:

Assistant band leader, pay, 695a.

Band leader, pay, 695a.

Bands, organization, 1076.

Brigade, additional machine-gun companies for, 356d.

Brigade, composition, 356a, 356d.

Chaplains, number and pay, 902.

Colonels, additional, 929i.

Colored troops, 1072.

Corporals, increase of, 1075, 1075a.

Detachments, part of Regular Army, 331a.

Depot for recruits, 1186.

Division, composition, 365a.

Headquarters troop, organization, 1074b.

Horseshoer, pay, 695a.

Horses, purchase of, 539, 540.

Increase of enlisted men, 1075, 1075a.

Limitation on number of appointment of increased officers, 3314b.

Machine-gun troops, organization, 1074c.

Mechanic, pay, 695a.

Medical personnel of volunteers, 1385.

Mess sergeant, pay, 695a.

Military Academy detachment, 1170.

Musicians, pay, 695a.

Private, first class, pay, 695a.

Private, increase of, 1075.

Promotion, equalization, 929i.

Promotions due to reorganization act, 1101, 1103.

Provisional organization of as Field Artillery or Infantry, 1071b, 1071c.

Regimental supply sergeant, pay, 695a.

REGIMENTS—

Designation of, for vocational training, 1293d, 1293g.

Drilled as Infantry, 1073.

Number of, 331a.

Organization, 1071, 1071a.

Provisional organization as Field Artillery or Infantry, 1071b, 1071c.

Remount detachments, 1080.

Sadler, pay, 695a.

Sergeant bugler, pay, 695a.

Sergeants, additional, details, 1332a.

Squadrons, organization, 1074a.

Stable sergeant, pay, 695a.

Staff officers, regimental, 1077.

Supply sergeant, pay, 695a.

Supply troop, organization, 1074d.

Troops, increase, 1075a.

Troops, organization, 1074, 1074a, 1075.

Vacancies due to reorganization act, 1101-1103.

Veterinarians, pay and retirement, 1078, 1079.

CEMETERIES, NATIONAL:

- Burial in, those entitled, 1308, 1309.
- Burial of Army nurses in, 1309.
- Care and maintenance, 1302.
- Graves, how marked, 1305.
- Headstones, 1305.
- Jurisdiction of United States, 1310.
- Register of burials to be kept, 1305.
- Superintendents, pay and quarters, 1304.
- Superintendents, qualifications, 1303.

CEMETERIES, PRIVATE:

- Headstones, erection in, 1306, 1307.
- Union soldiers interred in, 1306.

CENSORSHIP:

- Communications by mail, cable, radio, etc., 1425e, 1425f.
- Evading, etc., punishment, 1425f.

CERTIFICATES:

OF DISCHARGE—

- See also *Discharge*.
- of Enlisted men, in true name, 1048.
- Forging, etc., penalty, 131a.
- Replacing lost or destroyed, 1047.
- Return, after settling accounts, 214.

OF ELIGIBILITY—

- Rights and liabilities of holders, 923, 924.

FALSE—

- Penalty, 429.

OF MERIT—

- Enlisted men may receive, 1018.
- Pay of enlisted men granted, 719.
- to Volunteer forces, 1385.
- to Revised Statutes, 312.
- of Service, 458.

CERTIFICATES OF NONINDEBTEDNESS:

- Volunteer officers to obtain on discharge, 1383g-1383i.

CERTIFICATION:

- of Records, 246.

CHALLENGES. See *Articles of War*.

CHANGE OF STATION:

- Excess over transportation allowance, 526.
- While on leave, mileage to new station, 679.

CHAPLAINS:

- Address as, uniform, all grades, 910.
- Appointment, age limit, 907.
- Appointment, examination, 906.
- Appointment, preference, 902b.
- Apportionment to organizations, 902, 902a, 902c, 904.
- Assignment, 911-913.
- Citizenship, qualifications as to, 902e.
- Command, right to, 908.
- Designation uniform, all grades, 910.
- Duties, 914-916.
- Examination for appointment, 906.
- Facilities afforded by commanders, 917.
- Field service, transportation, 913.
- Instruction of enlisted men, 915.
- at Large, number, 902d, 902e.
- Major, grade of, limited, 909.
- at Military Academy, 1133.
- Number authorized, 902a, 902d.

CHAPLAINS—Continued.

- Part of Regular Army, 331a.
- Pay and allowances, 635, 909, 902a.
- Pay, increased every 5 years, 652.
- Pensionable status, 908.
- Post, office of, abolished, 912.
- Post, qualifications for, 905.
- Promotions, 909.
- Qualifications as to citizenship, 902e.
- Rank, 908, 909, 902a.
- Regimental, qualifications for, 905.
- Reports to be submitted monthly, 916.
- Retirement, 908.
- Transfers, 911, 913.
- of Volunteer forces, 1387.
- War service, preference in appointment, 902b.

CHARGES:

- Dismissal of employees upon, 42.

CHARTER:

- Surety companies to deposit, 391.

CHIEF WOMEN:

- in Office of Chief of Staff, 362, 362a.

CHAUFFEURS:

SIGNAL CORPS—

- Grades created, 890f.
- Pay and allowances, 890g.
- Rank, 890h.

CHECKS:

- Deposited in Treasury, payment, 242, 243.
- Lost, issuance of duplicates, 245, 245a.
- Outstanding, disposition, 241.
- Outstanding, annual report by auditors, 183a.
- Pay accounts, order of indorsee, 648.
- Payment of enlisted men by, 627.

CHIEF CLERKS:

- of Executive departments. See *Executive departments*.
- of War Department. See *War Department*.

CHIEF OF ARTILLERY. See *Chief of Coast Artillery*.CHIEF OF BUREAU OF INSULAR AFFAIRS. See also *Insular Affairs, Bureau of*.

- Rank, pay, etc., 155, 155a, 156, 373a.

CHIEF OF COAST ARTILLERY:

- see also *Artillery*.

- Additional member, General Staff Corps, 370a.

- Appointment, vacancy caused, 370.

- Duties, 370, 370a.

- General Staff Corps, member, 370.

- Office of, creation, 370a.

- Rank, 373a, 1086c.

- Retirement, 370.

CHIEF OF DIVISION OF MILITIA AFFAIRS:

- See also *Chief of Militia Bureau*.

- Additional members of General Staff Corps, 371.

CHIEF OF ENGINEERS:

- See also *Engineer Corps*.

- to Determine character of equipment, etc., 798.

CHIEF OF ENGINEERS—Continued.

may Employ retired officers, 799.
Granted use of Library of Congress, 800.
Rank, pay, and allowances, 373a, 784a.

CHIEF LOADERS:

Additional pay for qualifying as, 699, 699a.

Authorized number not to be increased, 700.

Pay, 699.

CHIEF MECHANICS:

Pay, 697.

CHIEF OF MILITIA BUREAU:

Member of General Staff Corps, 1337a.

Rank, pay, and allowances, 373a.

CHIEF MUSICIAN:

Pay, 701.

CHIEF OF ORDNANCE:

See also *Ordnance Department*.

Duties enumerated, 823, 825.

may Employ draftsmen, 818.

may Establish ordnance depots, 825.

Manufacture of articles by prisoners, 822a.

Rank, pay, and allowances, 373a, 809a.

to Regulate safe-keeping by prisoners, 835.

Semiannual report of, 833.

CHIEF PLANTERS:

Additional pay for qualifying, 699, 699a.

Authorized number not to be increased, 700.

CHIEF OF QUARTERMASTER CORPS:

See also *Quartermaster Corps*.

Appointment, time of, 504.

Qualifications and rank, 501, 373a, 495a.

Title changed, 501a.

CHIEF SIGNAL OFFICER:

See also *Signal Corps*.

to Certify charges for loss of property, 1256.

Duties in general, 893.

to Formulate regulations for Signal Corps, 894.

Member of Aircraft Board, 889bbb.

Rank, pay, and allowances, 373a, 870a.

to Supervise military telegraph lines, 896.

CHIEF OF STAFF:

See also *General Staff Corps; Staff departments*.

Aids-de-camps, 369.

Assistants, two general officers of line, as, 366f.

Chief of Coast Artillery, advisor of, 370a.

Clerks, assignment restricted, 363, 372, 362b.

Clerks, classification and pay, 362, 362a, 362b.

Clerks, foreign service, additional pay, 362, 362a, 362b.

Coast Artillery division abolished, 370a.

Duties enumerated, 369.

General officer of line, 366f.

Mobile army division, abolished, 370a.

Pay and allowances as general, 350d, 350e.

CHIEF OF STAFF—Continued.

Rank and precedence over all other officers of army, 366f.

Rank of general, limitation on, 350d, 350e.

to Supervise Quartermaster Corps, 503.

CHIEF OF STAFF DEPARTMENT:

See *Staff departments*.

CHIEF OF TELEGRAPH:

at Executive Office, 881.

CHIEF TRUMPETER:

Pay, 701.

CHIEFS OF BUREAUS:

of Executive departments. See *Executive departments*.

of War Department. See *War Department*.

CHILD:

Age limit as to allotments, family allowances, etc., exception, 1483v.

Defined as to allotments, 1483t.

Defined as to compensation, 1483t.

Defined as to family allowances, 1483t.

Defined as to insurance, 1483t.

Duration of compensation to, for death, 1483rr.

Family allowances. See *Family allowances*.

Payment of military and naval insurance to, 1483ffff, 1483gggg.

CHILDREN:

Apportionment of compensation between widow and, not in her custody, 1483tt.

Amount of compensation for disability, 1483vv.

Compensation. See *Military and Naval Compensation*.

Pensions, relation to. See *Pensions*.

CHINESE RELIEF EXPEDITION:

Badges of, who may wear, 1024.

Persons who served in, entitled to benefits of National Home for Disabled Volunteer Soldiers, 1502b.

CITIZENS:

See also *Citizenship; Naturalization*.

Ammunition for, issue to, 831a.

Chaplains at large must be, 902e.

Civil rights of. See *Civil rights*.

Dental surgeons must be, 750a.

Designated for training as officers, pay of, 1574b.

Equal rights under the law, 1442, 1443.

Officers appointed in time of peace, 918b.

Officers of Medical Corps, 732a.

Officers of Philippine Scouts, retirement, 339a.

Officers' Reserve Corps, 1533.

Qualified as officers, roster, 1573.

Reserve Officers' Training Corps must be, 1559.

Right to bear arms not to be infringed, 1319.

Subject to military duty, age limit, 327, 1322a.

Target ranges, 1579.

Training camps. See *Citizens' Training Camps*.

CITIZENS—Continued.

Training, rate of mileage and time of payment, 1574a.

Unneutral acts by foreign, 1474.

Unneutral acts, penalties, 1467, 1469.

Vessels discriminating against, during war, 1469d.

Veterinarians must be, 728c, 728d.

CITIZENSHIP:

See also *Repatriation; Citizens; Civil rights; Naturalization.*

Alien enemies not admitted to, 1064a.

Forfeiture by desertion, 1050-1052.

of Recruits, in time of peace, 1029.

CITIZENS' TRAINING CAMPS:

See also *Rifle ranges; Target ranges.*

Appropriations, 1576, 1576a, 1577.

Arms, supplies, to be furnished, 1574, 1576, 1576a.

Claim for damage to private property due to, 162a.

Detail of enlisted men, instructors of rifle clubs, 954c.

Fort Douglas, Utah, 1578.

Instructions, course to be prescribed, 1575.

Maintenance on military reservations, 1574, 1576, 1576a.

Mileage, rate and time for payment, 1574a.

Pay of citizens designated for training as officers, 1574b.

Sales to persons attending, 1574.

Subsistence, for attending in 1916, 1576a, 1577.

Uniform of persons attending, 1010b.

Use of rifle range, 1579, 1579a.

CIVIL ACTIONS. See *Civil rights.***CIVIL EMPLOYEES:**

See also *Civilian employeess.*

Injuries. See *Injuries to Government employeess.*

National Guardsmen, called out, to be restored to former positions, 1339c.

Ordnance Department. See *Ordnance Department.*

Sales of medical supplies to, 775e, 775f.

CIVILIAN EMPLOYEES:

Active duty in Officers' Reserve Corps, restoration, 1544a.

of Arsenals. See *Armories and arsenals.*

Computation of increased pay for piece-work, 44.

Details of, certain forbidden, 29, 30, 32. of Executive departments. See *Executive departments.*

Government establishments. See *Independent establishments.*

in Officers' Reserve Corps, leaves of absence, 1549a.

Ordnance Department serving abroad, accrued leave for, 857i.

Pay clerks. See *Pay Department.*

Per diem, computation of increased pay for, 44i.

of Quartermaster Corps. See *Quartermaster Corps.*

CIVILIAN EMPLOYEES—Continued.

Restrictions on employment, 28.

Rules for division of time and computing pay of, 44g.

Sales of Ordnance stores to, 844.

Signal Corps, pay, 879j.

Signal Corps, traveling expenses, 879j.

States and municipalities, rates of pay, 40g.

Under War Department, abroad, allotments of pay, 711a, 712a.

of War Department, interment, 1063.

CIVILIAN MARKSMANSHIP:

Director of, 1580.

CIVILIAN PHYSICIANS:

to Examine applicants for enlistment, 779.

CIVILIANS. See *Citizens.*

Designated for training as officers, pay, 1574b.

CIVIL LIFE:

Aviators appointed from, 889t, 889u.

Officers appointed from. See *Officers, Army.*

CIVIL OFFICE:

Officers accepting. See *Officers, Army.*

CIVIL OFFICERS:

Execution of process. National Guard courts-martial, 1343h.

CIVIL PENSION ROLL:

Establishment of, forbidden, 38.

CIVIL RIGHTS:

Citizenship. See *Citizenship.*

COMMISSIONERS TO ENFORCE—

Appointment and duties, 1447, 1448.

to Appoint persons to execute warrants, 1449.

Fees, 1451.

CONSPIRACY AGAINST—

Civil action against conspirator, 1445.

Neglect to prevent, actionable, 1446.

EMPLOYMENT OF MILITARY FORCE—

in Execution of judicial process, 1454.

by Persons appointed to serve warrants, 1449.

ENFORCEMENT—

by District attorney, 1451.

Fees of district attorney, 1451.

Fees of persons appointed to execute process, 1451, 1452.

Marshals to execute warrants, 1450.

EQUAL RIGHTS—

All persons to have, 1442, 1443.

Conspiracy to deprive persons of, 1445, 1446.

OFFENSES—

Process, execution of, 1449, 1450, 1452, 1454.

Prosecution authorized, 1447.

Prosecution by Federal officer, 1447.

Speedy trials directed, 1453.

PEONAGE—

Abolished in New Mexico, 1455, 1456.

SUITS FOR VIOLATIONS OF RIGHTS—

Against person acting under color of law, 1444.

CIVIL SERVICE:

See also *Classified civil service; Executive departments.*

Application to employees, Bureau of War Risk Insurance, exceptions, 1483o.

Appointment in, after examination, 166.

Appointment of employees of Alien Property Custodian under, 1424d.

Audit accounts of military establishment, employees residing in foreign countries, 205j.

Bureau of Efficiency created, 40b.

Classification in, scope of, 166.

Examinations to be held in State of applicant, 166a.

Investigate methods of business of commission, 40f.

Preference to persons honorably discharged from military or naval service, 164, 166.

CIVIL WAR:

Badges. See *Badges.*

Claims. See *Claims.*

Deserters, certain exempted from forfeiture, 1051.

Pensions. See *Pensions.*

Pensions, minimum for widow of, 1483h, 1483i.

Retirement, certain officers advanced grade, 969, 970, 969a-969e.

CIVIL WORKS:

Employment of officers on, 996.

CLAIMS:

See also *Accounting officers; Attorney General.*

AGAINST UNITED STATES—

Civil War claims, jurisdiction, 277a.

Civil War service, muster and remuster, 455, 455a.

Damage to property due to gunfire, etc., 162.

Damage to property, recommendation of Secretary of War, 162a.

During insurrection, against condemned vessel, 1441.

Government employees interested, 430.

Liability of persons making false, 220a.

Loyalty restriction repealed, 215a.

Members of Congress receiving compensation, 1246.

Pay, arrears, time limit for filing, 218, 218a.

Property of officers and soldiers lost, etc., 217, 217a.

Prosecution of, by exemployees, 140.

Reexamination of rejected, 215c.

of Spanish War Volunteers, 218.

Training, practice, etc., 162a.

Under exhausted or lapsed appropriations, examination and report on, 215b, 215c.

Allotments. See *Allotments of Pay.*

Allowances. See *Family allowances.*

ALLOWED BY TREASURY—

Reported annually to Congress, 216.

ASSIGNMENTS OR TRANSFERS—

Before allowance, 240.

CLAIMS—Continued.**ASSIGNMENTS OR TRANSFERS—Continued.**

Compensation for death or disability, 66mm, 1483uuu.

Military and naval insurance not subject to, 1483iii.

to United States against third persons, compensation, 66nn-66ss, 1483yyy, 1483zzz.

to United States, settlement and disposition of proceeds, 66pp-66ss, 1483yyy.

Attorneys. See *Attorneys and attorneys' fees.*

Auditing, investigation of method, 40c.

BEFORE COURT OF CLAIMS. See *Court of Claims.*

BEFORE DEPARTMENTS—

Fees of witnesses who made depositions, 135.

Witnesses may be subpoenaed by heads, 134.

Compensation for death or disability, payment prior to filing, 1483ttt.

Compensation for death or disability, time for filing, 1483ppp-1483ttt.

FRAUD—

Government employees interested, 430.

Making or presenting fraudulent, 220.

Members of Congress receiving compensation, 1246.

Not allowed where there is attempt at, 287.

Insurance. See *Military and Naval Insurance.*

JUDGMENT—

Final, to bar future demand, 292.

Payment of, full discharge, 291.

JURISDICTION OVER—

See also *Court of Claims.*

Civil War claims, 277a.

District courts and Court of Claims, 278.

Scope, 277.

Property. See *Trading with enemy, Alien Property Custodian.*

Property, private, damage due to training, etc., 162a.

Set-offs. See *Court of Claims; Set-offs.*

SETTLEMENT—

Before allowance, powers of attorney, 240.

by Compromise, 238.

no Deductions for attorney's fees in case of officers, soldiers, 219.

no Interest before judgment, 290.

Stoppages may be removed, 641.

by Treasury Department, 215.

WITNESSES—

Failure to attend, 136.

Fees, 135.

Subpoenas for, 134.

CLASSIFIED CIVIL SERVICE:

See also *Civil service.*

Assessment for political contributions, 172-176.

CLASSIFIED CIVIL SERVICE—Cont'd.

Compensation of certain grades increased, 44a, 44b.

Efficiency ratings, establishment of, 40, 40c, 40d, 40l.

Information may be furnished Congress, 42.

Promotions, reductions, etc., 40.

Regulations for admission, prescribed by President, 163.

Removal on charges in writing, 42.

Transfers, requisites, 36.

CLEARANCE:

of Vessels, during insurrection, 1439, 1440.

of Vessels, enforcing neutrality. See *Neutrality*.

CLEARING HOUSES:

See *Food and fuel conservation*, "*Evil practices*."

CLEMENCY:

to Military convicts, 488, 488a.

CLERKS:

in a particular department or office, see *the department or office*.

Alien Property Custodian. See *Trading with enemy*, *Alien Property Custodian*.

in Army. See *Chief of Staff*; *Army Field Clerks*, etc.

Civil Service. See *Civil Service*.

Executive departments. See *Executive Departments*.

CLOCKS, RECORDING:

Use in executive departments forbidden, 121.

CLOSED PORTS:

During insurrection, seizure of vessels, 303.

CLOTHING:

Sale of cuttings, proceeds, 578a.

CLOTHING ACCOUNTS:

of Officers, oath in settling, 153.

CLOTHING, ARMY:

See also *Uniform, Army*.

Allowance for ordnance sergeants, 575.

Balances due soldier, how accumulated, 574, 575.

Balances due soldier, how paid, 575, 576.

Cash to retired soldiers in lieu of, 714, 715.

Contracts for, before appropriation, 1190.

to Discharged military convicts, 494.

Diseases, destroyed to prevent spread of, 778.

Enlisted Reserve Corps. See *Enlisted Reserve Corps*.

Gratuitous issue to replace destroyed, 572.

of Militia. See *Militia*.

National Guard. See *National Guard*, *Uniform*.

Overdrawn by soldier, 574.

Purchase from soldiers prohibited, 220.

Quantity and kind prescribed by President, 571.

Repairing and altering, limit of cost, 577, 578.

CLOTHING, ARMY—Continued.

Returns, quarterly, by officers, 573.

Sales prohibited, 1262.

COAL:

See *Food and fuel conservation*, *Coal and coke*.

COAST AND GEODETIC SURVEY:

Assistance in making surveys and maps, 808b.

Examinations for appointment and promotion, 534l.

Field officers, designation, appointment, and pay, 534m.

Pay and allowances not reduced by transfer to Army, 534k.

Pension for disabilities incurred while with Army, 534k.

Rates of pay for nonmilitary duty not affected, 534o.

Regulations covering duties of, in time of war, 534p.

Relative rank while serving with Army, etc., 534n.

Return of vessels, personnel, etc., when emergency ceases, 534i.

Subject to Articles of War, when, 534j.

Transfer of vessels, personnel, etc., to Army in emergency, 534h.

COAST ARTILLERY. See *Artillery*.**COAST ARTILLERY DIVISION:**

Office of Chief of Staff, abolished, 370a.

COAST ARTILLERY FIRE:

Target practice, regulate use of navigable waters as to, 1315c, 1315d.

COAST ARTILLERY SCHOOL:

Items of appropriations, 1185.

COAST DEFENSES:

Commandeering or requisitioning land for, 802d.

Donation of lands for, acceptance, 802c.

Examination of title, etc., to land for, prior to possession waived, 802d.

Purchase of lands for, at agreed price, 802b.

Regulation of use of navigable waters in connection with, 1315c, 1315d.

Report as to lands and buildings for airships, etc., for, 1274d.

Requisitioning or commandeering lands for, 802d.

Sites for, procured by condemnation, 802, 802a-802d.

Vessels to enforce regulations as to use of navigable waters in connection with, 1315d.

Volunteer forces for, organization, 1385.

COAST GUARD:

Instruction in aviation schools, 889ee.

Military forces as to compensation, insurance, etc., when, 1483ee.

Recommissioning former officers in, 1633.

Recommissioning former officers of Revenue-Cutter Service in, 1633.

Status, etc., of Public Health Service officers serving with, 534q.

Uniform, unauthorized wearing of, 1010f.

COFFEE:

Fund for Militia. See *Militia*.

Sugar and, ration of. See *Rations, Army*.

COKE:

See *Food and fuel conservation, Coal and Coke*.

COLLECTORS OF CUSTOMS:

See also *Customs*.

Duties of, during insurrections, 1434.

Duties of, as fiscal agents, 185.

Employment of military force by, 1435.

May withhold clearance to vessels, 1469a.

Reports of gold or silver coin, etc., in cargoes for export, 1439d.

COLLEGES:

See also *Educational institutions; Schools; Reserve Officers' Training Corps*.

Ammunition, etc., for instructions, 831a.

Bond covering ordnance issued, 951-955.

Commutation of uniform, Reserve Officers' Training units, 1562a.

Details of officers to. See *Details*.

Graduates, eligibility for Officers' Reserve Corps, 1569.

Instructions to aviation students at technical, 889xx.

Issue of ordnance to other than Reserve Officers' Training Corps units, 1563.

Issue of ordnance to, 942, 951-955.

Permits for examination of ruins, 1286, 1287.

Sales of Army supplies to, 951a, 951b.

COLONEL, ARMY:

See also *Officers, Army*.

Fuel and forage allowed, 554.

Maximum pay, including longevity, 654.

Pay, 635.

Relative rank, with officers of Navy, 352.

COLORED TROOPS:

Cavalry, two regiments authorized, 1072.

Infantry, two regiments authorized, 1096.

Instruction of, by chaplains, 915.

COLORS:

Flags and, captured to be collected, 149.

Volunteer regiments to retain, 149a.

COMMAND:

by Brevet rank. See *Brevet rank*.

of Brigadier general, 356.

Claims of officers holding higher, 641.

of Major general, 356.

of Medical officers, 355.

in Military Academy. See *Military Academy*.

by Pay Department officers, 624.

Pay for exercising higher. See *Pay of officers*.

by Retired officers, prohibited, 961.

Retired officers withdrawn from, 986.

When different corps or commands happen to join, 120 A. W.

COMMANDANT:

of Cadets. See *Military Academy*.

of Military prison. See *Military prison*.

COMMANDER:

of Army corps, staff, 358.

of Division or brigade, staff, 359.

Navy, relative rank in Army, 352.

COMMANDER OF UNITED STATES FORCES IN FRANCE:

Pay and allowances, 350e.

Rank, 350d.

COMMANDEERING FOR MILITARY PURPOSES:

Coal and coke plants, on failure to conform to price regulations, 1746-1749.

Distilled spirits in bond or in stock, 1731, 1732.

Factories, packing houses, oil pipe-lines, and mines, 1708-1713.

Food and fuel. See *Food and fuel conservation; Requisitioning for public defense*.

Lands for coast defenses, fortifications, etc., 802d.

Lands for proving ground on failure to purchase, 12741-1274n.

Mines, 1708-1713.

Munition plants in time of war, 1601.

North Island, California, as site for aviation stations, 1274g.

Oil pipe-lines, 1708-1713.

Packing houses, 1708-1713.

Plants, etc., for shipbuilding. See *Emergency shipping fund, Table of Related Statutes*.

Railroads. See *Transportation systems*.

Transportation systems in time of war, 525b.

Vessels belonging to Germany within jurisdiction of United States, 1415b, 1415c.

COMMANDER IN CHIEF OF ARMY, 2.**COMMANDING GENERAL OF ARMY:**

May perform duties of Secretary of War, 143.

COMMANDING OFFICERS:

See also *Officers; Articles of War*.

to Report damage to ordnance, 836.

COMMERCIAL BUSINESS:

Over telegraph lines. See *Telegraph lines*.

COMMERCIAL INTERCOURSE:

During insurrection, 1421-1426.

COMMERCIAL TELEGRAPH COMPANIES:

See *Telegraph lines*.

COMMISSARIES:

See also *Subsistence Department*.

Additional pay for acting, revoked, 646.

Duties of regimental, battalion, etc., 498,

499.

Jurisdiction over claims for relief by, 277.

Losses by, without fault, 280.

to Perform Quartermaster Corps duties, 938.

COMMISSARY GENERAL:

See also *Subsistence Department*.

President may regulate and increase bond, 185.

COMMISSARY SERGEANTS:

See also *Quartermaster sergeants*.
 Authorization and duties, 584, 585.
 Designation changed, 496.
 Detail as assistant to commissary of cadets, 1136a.
 Duties, 584.
 Number increased, 585.
 Pay, 584, 695.
 Subject to Articles of War, 584.

COMMISSARY STORES:

Sales of, disposition of proceeds, 405.

COMMISSIONED OFFICERS. See also *Officers, Army*.

Defined as to compensation, insurance, etc., 1483y.

Warrant officers, certain included as, for compensation, insurance, etc., 1483y.

COMMISSIONER OF INSURANCE:

Regulate fees, etc., military and naval insurance. 1483xxxx.

COMMISSIONER OF MARINE AND SEAMEN'S INSURANCE. See *Bureau of War Risk Insurance*.**COMMISSIONER OF PENSIONS:**

Administer provisions relative to military and naval compensation, 1483bbbb.

COMMISSIONERS:

to Protect civil rights, 1447, 1448, 1451.
 to Revise, simplify, etc., statutes of United States, 307.

COMMISSIONS:

of Army officers. See *Officers, Army*.
 Expenses of, not paid unless authorized, 408.
 Payment of expenses of, 190.
 of Retired officers, advanced in rank, 971.

COMMODORES:

of Navy, relative rank with Army, 352.

COMMON CARRIERS:

See also *Transportation*.
 Agencies at Washington, 525b.
 Antitrust violations provision not repealed, 525d.
 Collection from for damages, 845, 217a.
 Directions for preference to national defense commodities, 525f.
 Duties, and punishment for failure to perform, 525i.
 Exemption from preferential, etc., provisions in existing law, 525k.
 Labor disputes provision not repealed, 525d.
 Obstructing mails or equipment of, 1465.
 Obstructing transportation during war with Germany, 525c.
 Preference in time of war, 525a, 525b, 525c.
 Preference to national defense commodities, 525e, 525f.
 Preference, officers and compensation for persons designated, 525g.
 Rates for transportation of persons and property, 525j.

COMMON CARRIERS—Continued.

Use of armed force to prevent obstruction of transportation, 525c.

COMMUTATION:

of Clothing. See *Clothing, Army*.
 of Forage. See *Forage*.
 of Fuel. See *Fuel*.
 to Militia officers at military schools, 1334.
 of Officer member, road commissioners, 669.
 of Quarters. See *Quarters, Army*.
 of Rations. See *Rations, Army*.
 of Subsistence stores. See *Subsistence, Army*.
 of Uniform supplied by educational institutions, 1562a.

COMPANY:

Commander, settlement of accounts, 1260.
 Infantry, 1097, 1095b, 1098.
 of Instruction, in Hospital Corps, 768.
 at Military Academy. See *Military Academy*.
 Signal Corps, 890b, 890i, 890j.

COMPENSATION. See also *Pay of Army*.
 of Enlisted men. See *Pay of enlisted men*.

to Federal employees. See *Injuries to Government employees*.

for Injury. See *Injury*.

of Officers. See *Pay of officers*.

COMPENSATION FOR INJURIES:

See also *Pensions*.
 Death or disability in Army or Navy. See *Military and naval compensation*.
 Suspension on failure to take vocational training, etc., 1293l.
 Suspension on failure to enlist during reeducation, etc., 1293l.

COMPROMISE:

of Claims, by Secretary of the Treasury, 238.

COMPTROLLER OF THE TREASURY:

See also *Accounting of public money*.
 Advance decisions, may be called upon for, 202.
 Assistant, audit of accounts, abroad, 205g.
 Assistant, powers of, 205i.
 Auditors' decisions to be revised by, 209.
 Examination of books, etc., of disbursing officers by representation of, 205k.
 to Institute suit to recover balance due, 203.
 May direct auditing of particular account, 201.
 May revise balances certified by auditors, 207.
 to Prescribe forms for keeping accounts, 200.
 Warrants to be countersigned by, 237.

CONDEMNATION:

District of Columbia, employment of counsel, 263a.

CONDEMNATION—Continued.

- Lands for aviation stations, 889qq.
- of Sites for fortifications and coast defenses, 802, 802a, 802d.
- of Sites for public buildings, etc., 1276, 1277.

CONDEMNATION PROCEEDINGS:

- Captured property, how instituted, 1430.
- Prizes employed in aid of insurgents, 1428.

CONDEMNED VESSELS. See *Vessels*.**CONFIRMATION:**

- Salary not paid recess appointees until, 168.
- by Senate, list furnished accounting of officers, 11.

CONFISCATION:

- of Property during insurrection. See *Insurrection*.

CONGRESS:**JOINT COMMITTEE ON PRINTING—**

- Continuance of, vacancies, and powers during recess, 114a.

POWERS—

- Exclusive legislative authority over the District of Columbia and military reservations, 1280.
- Militia, may call forth, 1415.
- over Public property and territory, 1255.
- over Sale of transports. See *Transports, Army*.

PROHIBITED ACTS BY MEMBERS—

- Compensated in connected with claim, 1246.
- Contracting with officers, 1248.
- Interest in United States contracts, 1245-1247, 1249.

REPORTS TO—

- Number and grade of persons receiving increased compensation, 44b.

THANKS—

- Tendered certain officers, 927a.

CONSPIRACIES:

- Punishment of other under title, 13174f.

CONSPIRACY:

- Against Civil rights. See *Civil rights*.
- Food and Field Conservation. See *Food and fuel conservation, Conspiracy*.
- to Injure or destroy property of foreign government in United States, 1674.
- National defenses. See *National defenses*.
- Seditious, punishment, 1415i.

CONSTITUTIONAL PROVISIONS:

- Art. I, sec. 8, 1280.
- Art. I, sec. 8, par. 15, 1415.
- Art. I, sec. 9, par. 2, 276.
- Art. I, sec. 9, clause 7, 186.
- Art. IV, sec. 3, 1255.
- Art. IV, sec. 4, 1414.
- Second amendment, 1319.

CONSTRUCTING QUARTERMASTER:

- at Military Academy, pay, 1137.

CONSULAR OFFICE:

- Acceptance by officers, effect, 997.

CONSULAR OFFICERS:

- Army officers in foreign places who have general powers of, 114th A. W.
- Duty. See *Repatriation*.
- Foreign government, punishment for falsely pretending to be, 1671.
- Vessels. See *Trading with enemy, Vessels*.

CONTAGIOUS DISEASES:

- Clothing destroyed because of, replacing, 572.
- Leave with pay may be granted because of, 50.
- Measures for dealing with, at military posts, 778.

CONTEMPT:

- Disobedience of subpoenas, etc., Bureau of War Risk Insurance, 1483k.

CONTINGENT FUNDS:

- See also *Appropriations*.
- Allotments of, 188.
- Annual reports of expenditures from, 79, 80.
- Apportioned by monthly or other allotments, 188.
- Apportioned to bureaus or offices, 75.
- Expenditure for commissions, etc., connected with foreign intercourse not restricted, 190.
- of Military Academy, for rent of hotel, 1178.
- Payment for telephones in private residences, 83.
- Payment of clerks from, prohibited, 28, 32, 74.
- Payment of membership, etc., dues from, 81.
- Purchases from, limitation on, 73, 75.
- Purchases of law books from, 78.
- Purchases of newspapers from, 76, 77.
- Purchases of vehicles, restrictions, 82.
- Subscriptions to newspapers, limitation, 76, 77.

CONTINUOUS-SERVICE PAY. See *Pay of enlisted men*.**CONTRACT DENTAL SURGEONS:**

- See also *Dental surgeons*.
- Assignment of pay accounts, 740.
- Authorized, qualifications, etc., 753, 754.
- Eligible for appointment as dental surgeons, 752.
- Longevity pay, time served as, counted, 751.
- Sea travel, actual expenses only, 682.

CONTRACTING OFFICERS:

- Examination of books, etc., by representatives of Auditor and Comptroller, 205k.

CONTRACTOR:

- Supplies to be marked with name of, 1241.

CONTRACTS:

- For supplies or services of a particular kind or for a particular branch of the Government service, see the specific title.

CONTRACTS—Continued.

ADVERTISEMENTS—

District of Columbia newspapers, rates, etc., 1203, 1204.

Motor ambulances, purchase without, 1198a.

Rate fixed at commercial rate, 1202.

APPROPRIATIONS—

Annual, for contracts made within year, 193.

Contracts in excess of, not to be made, 1191-1193.

Purchase of ordnance, etc., in excess of, limitation, 1190a.

ASSIGNMENT. See this title, *Transfer*.

AUTHORIZATION—

Necessary to making, exception, 1190.

BIDS—

Accompanied by guaranty and bond, 1207.

Opening, bidders to be notified, 1208.

Opening, Secretary of War to make regulations, 1206.

Preference to American material, 1234.

BOND—

to Support guaranty to bid, 1207.

COPY—

Affidavit to accompany, 1212-1214.

Filed in Returns Office, 1211.

Extension of time for filing in Returns Office, 1211d.

Filing of accounts settled abroad, 205m.

Food and fuel conservation agents. See *Food and Fuel Conservation*.

FOR PERSONAL SERVICES—

Prohibited if in excess of law, exception, 1195.

FORM—

to Stipulate no Member of Congress has interest, 1215.

Writing required; signed by parties, 1211, 1211a, 1211c.

OFFENSES—

Acceptance of bribe by witness, 1253.

Bribery in connection with, penalty, 1251.

Corporation agent, acting as United States agent, 1250.

Members of Congress, procuring, etc., 1245-1247.

OPEN MARKET CONTRACTS—

Allowed if public exigency demands, 1196.

Printing and binding for army, etc., during emergency, 112b-112d.

Supplies or services outside District of Columbia, limitation, 1196a.

ORDNANCE SUPPLIES—

Preference to articles of American manufacture, 1234, 1234a.

PAYMENTS—

Advance for supplies, 407a, 407b.

Not to exceed amount due at time, 407.

Security covering advance, for supplies, 407b.

Postal Guide, official, 1236c.

CONTRACTS—Continued.

Printing and binding for army, etc., during emergency, 112b-112d.

PROVISIONS—

Eight hours to constitute day's work, 1218-1232.

Exempting United States from liability for injuries, void, 72.

FOR PUBLIC WORKS—

Preference to be given American material, 1234.

Recommendations of Aircraft Board as to 889eee.

RETURNS—

Affidavit of officer to accompany, 1212.

Extension of time for filing in Returns Office, 1211d.

Filing in Returns Office, 1211, 1211d.

Forms to be furnished for, 1214.

Omission of, by officer, penalty, 1213.

Regulations for making, 1214.

Statutes of limitations. See *Trading with enemy, Alien Property Custodian*.

Supplies or services outside District of Columbia, limitation, 1196a.

TRANSFER—

Prohibited, effect of transfer, 1233.

Written requirements as to, 1211, 1211a-1211c.

WITH MEMBERS OF CONGRESS—

Prohibited, penalty, 1245-1249.

Public officer making, penalty, 1248.

CONTRACT SURGEONS:

Appointment of, in emergencies, 738.

Assignment of pay accounts, 740.

Attendance free of charge on families of officers and soldiers, 742.

in Charge of hospitals, extent of authority, 739.

Eligible for appointment in Medical Corps, 733.

Eligible for Medical Reserve Corps, 745.

Part of Medical Department, 728a.

Sea travel, actual expenses only, 682.

Travel in Alaska, actual expenses only, 681.

CONTRIBUTIONS:

Employees not to solicit political, 172-176.

CONVERSION:

of Public moneys. See *Public moneys*.

CONVICTS, MILITARY. See *Disciplinary barracks; Military prison*.

COOKING:

Line officers to superintend, 610.

Medical officers to superintend, 743.

COOK INSTRUCTORS:

Enlistment of, as sergeants, Quartermaster Corps, 506c.

COOKS:

Medical Department, pay, 695a.

Medical Department, percentage of, 766d.

Pay, 695.

Quartermaster Corps, number and pay, 506a.

Recruit depots, extra-duty pay, 563b.

Signal Corps, percentage of, 890a.

COPYISTS:

- Authority to employ, 25.
- Restrictions on employment, 28.

COPYRIGHT:

- Registration of by enemy. See *Trading with enemy, License*.

CORPORALS:

- Medical Department, pay, 695a.
- Medical Department, percentage of, 766d.
- Pay, 697.
- Quartermaster Corps, number, 506a.
- Recruit depots, 704b.
- Signal Corps, percentage of, 890a.

CORPORATIONS:

- Agents of, acting as agents of United States, 1250.
- Enemy officers, etc. See *Trading with enemy*.
- Members of Congress interested in, 1249.

CORPS:

- See also *Army Corps*.
- of Cadets. See *Military Academy*.
- Commander. See *Corps commander*.
- of Engineers. See *Engineers, Corps of*.

CORPS COMMANDER:

- Ordnance officers assigned to staff, pay, 816.
- Staff officers for, source, 360.
- Staff of, 358.

COSTS:

- Court of Claims may allow, 298.

COUNCIL OF NATIONAL DEFENSE:

- Advisory commission, 1618.
- Appropriation, 1621.
- Composition, 1617.
- Cooperation in standardizing gauges, etc., 1611a.
- Duties, 1619, 1619a.
- Expenses, amounts without items, 1621.
- Expenses, itemized account of, 1621.
- Powers and duties not extended by existence of war, 1619a.
- Regulations for conduct of investigations, 1620.
- Subjects for investigation, 1619.
- Submission of reports, 1621.
- Subordinate bodies for special work, 1620.

COUNCILS:

- Payment of expenses, restriction, 408.

COUNSEL:

- Condemnation proceedings, District of Columbia, 263a.
- Employment of, prohibited, 138.
- Ex-employees as, prohibited, 140.
- for United States. See *Attorney General*.

COUNTERCLAIMS. See *Court of Claims*.**COUNTERFEIT MONEY:**

- Disbursing officers to stamp or mark, 414.

COUNTERFEITING:

- Bonds, bids, public records, etc., penalty, 131.

COURT OF CLAIMS:

- See also *Claims*.

COURT OF CLAIMS—Continued.**APPEALS—**

- in Actions instituted by debtors, 295.
- to Supreme Court, right to, 296.
- to Supreme Court, time limit, 297.

ATTORNEYS—

- Furnished by Attorney General, 293.
- for United States, 263.

COSTS—

- May be allowed in certain cases, 298.
- Printing record, losing party to pay, 289.

COUNTERCLAIM. See, this title, *Set-offs*.**EVIDENCE—**

- for Claimant, cost of taking, 286.
- Departments may be called upon for, 284.
- Furnished by departments, 139.

JUDGMENTS AND DECREES—

- Final, bar to further demand, 292.
- Interest on claims from date of, 290.
- Payment, full discharge of claim, 291.

JURISDICTION—

- over Civil War claims revoked, 277a.
- Concurrent with district courts, 278.
- Disbursing officers, relief from losses, 280.
- under Eight-hour law, 1222.
- Limitation of actions, 282.
- Restrictions on, 281.
- of Set-offs and counterclaims, 277.
- Suits on patents for use of United States, 299.

NEW TRIAL—

- Time limit within which must be granted, 288.

PETITION—

- Form as to allegations, etc., 283.
- Grounds for relief must be shown, 285.

PROCEDURE—

- Where debtor alleges no settlement in three years, 294.

SET-OFFS—

- Jurisdiction over, 277.
- by United States to be considered, 239, 279.

COURTS:**UNITED STATES—**

- Actions in, by enemy, etc., prior to close of war, 1420o.
- Acts done under regulations of President not to create liability in, 1424i.
- Certificate of appointment of Alien Property Custodian evidence in all, 1424l, 1424m.
- Certified copy of record of appointment of Alien Property Custodian evidence in, 1424m.
- District courts. See *District courts*.
- Notice from President that person is enemy, etc., prima facie defense in, 1420r.
- Notice from President that person is enemy, etc., prima facie evidence in prosecution, 1420s.

COURTS—Continued.

UNITED STATES—Continued.

Order by President to deliver property to claimant not bar to suit as to right to, 1424u.

Right of enemy, etc., to defend by counsel, 1420q.

Suits in by enemy holding license to trade, 1420p.

COURTS, DISTRICT. See *District courts*.

COURTS OF INQUIRY:

See also *Articles of War*.

Accused persons may testify before, 1253a.

Eligibility for service upon, 1385.

Retired officers may be assigned to duty on, 958.

COURTS-MARTIAL:

See also *Articles of War*.

COMPOSITION—

Retired officers may be members, 958.
for Trial of militia officers and men, 1343, 2 A. W.

Volunteer and militia officers eligible, 1385.

FINES, DISPOSITION OF—

Paid into Soldiers' Home fund, 1507, 1507a.

GENERAL COURTS-MARTIAL—

Accused persons may testify before, 1253a.

Dismissal of officers by, in time of peace, 992.

Enlisted men as stenographers for, 1069.

Jurisdiction of, not limited by Espionage Act, 131731.

National Guard. See *National Guard, courts-martial*.

Reappointment of officers dismissed by, 991.

AT MILITARY ACADEMY—

Superintendent may convene, etc., 1163.

Militia. See *Militia*.

National Guard. See *National Guard*.

PUNISHMENT—

Confinement in disciplinary barracks, 475c.

Penitentiary sentences authorized, 475c.

REGIMENTAL—

Jurisdiction restricted, 924.

SENTENCES—

Detained pay, repayment, 727.

of Dishonorable discharge may be suspended, 1049.

of Dishonorable discharge, pay and allowances during execution of suspended, 727a, 1507a.

Effect on promotion of enlisted men, 924.

TRIAL BY, RIGHT TO—

Cadets charged with hazing, 1164.

Officer dismissed by President, 994.

COXSWAINS:

Additional pay for qualifying, 699a.

Pay, 1086b.

CRIMES:

See *Treason*.

Espionage. See *National defenses*.

Laws of States adopted for punishing wrongful acts, 1316b.

Offenses within admiralty, maritime, and territorial jurisdiction of U. S., 1316a.

CUBA:

Banks in, as depositories of public funds, 182.

Enlisted service in, counted double, 1040, 1041.

Military details under Government of, 939.

Sale of ordnance to, 844a.

CULLUM MEMORIAL HALL:

Method of selecting worthy subjects for, 1180.

CUMULATIVE LEAVE:

Employees, Ordnance Department, serving abroad, 8571.

Nurse Corps serving outside United States, 771, 772.

of Officers, 662, 664.

CURRENCY:

Transactions in foreign exchange. See *Trading with enemy, License*.

CUSTODIAN:

Records of War Department, Secretary to be, 148.

CUSTOMS:

Collectors. See *Collectors of customs*.

Duties, employment of vessels collecting, 1434.

House, removal, during insurrection, 1434.

Officers, appointment and compensation, 1424.

DALY, CHARLES P.:

Appointed military storekeeper, 513a.

DAMAGES:

to Arms, report of, 836.

DAUGHTERS OF AMERICAN REVOLUTION:

Unlawful wearing of badge, penalty, 1025.

DEATH:

Compensation. See *Military and naval compensation*.

Ex-official, department not to be closed on, 123.

Spies, sentence of in time of war, 82 A. W.

DEATH OR DISABILITY:

See *Military and naval compensation*.

DEBTORS:

Deceased, priority of United States, 221.

Insolvent, priority of United States, 221.

Priority of United States, failure to recognize, 222.

Settlement not made in three years, procedure, 294, 295.

DEBTS:

- See also *Claims*.
- Arrest for, enlisted men exempt, 1067.
- Auditors to superintend recovery, 206.
- Distress warrants, execution, 226-228.
- Due enemy, report of. See *Trading with enemy, Alien Property Custodian*.
- Due United States by employee, withholding pay, 693, 694.
- Method of enforcing set-off, 239.
- Priority of United States, 221, 222.
- Sale of lands under distress warrants, 229.

DECEASED EMPLOYEES:

- Transportation of remains, 84.

DECEASED OFFICERS. See *Officers, Army*.**DECEDENT ESTATES:**

- of Army officers. See *Officers, Army*.
- of Enlisted men. See *Enlisted men*.

DECLARATION OF WAR. See *War*.**DECORATION DAY:**

- Per diem employees to receive pay for, 55.

DECORATIONS. See *Foreign decorations*.**DECREES:**

- of a particular court. See *the specific title*.

DEDUCTIONS:

- from Pay, enlisted men. See *Pay of enlisted men*.

DEFENSE:

- Inventions important to, 1616.

DEFENSIVE SEA AREAS:

- Transportation of explosives over waters constituting, 1315c, 1315d.
- Vessels violating regulations as to, 1315a, 1315b.

DEFICIENCIES:

- Method of transmitting estimates of, 92.

DEMOTIONS:

- in Classified service. See *Classified civil service*.

DENTAL CORPS:

- See also *Dental surgeon*.
- Appointments, qualifications, etc., 751, 750d.
- Composition, etc., 750, 750d.
- Confirmation by Senate of surgeons, recommended, 750g.
- Contract dental surgeons. See *Contract dental surgeons*.
- Dental surgeons. See *Dental surgeons*.
- Examining and reviewing boards, composition, 750e.
- Number of officers, 750d.
- Part of Medical Department, 728a.
- Pay and allowances, 750d.
- Promotions, 750d.
- Rank, 750d.
- Recommission of surgeons in active service, 750f, 750g.

DENTAL STUDENTS:

- Regulations for enlistment in Enlisted Reserve Corps, 1581a.

DENTAL SURGEONS:

- Appointment, 750a.
- Appointment of contract, without examination, 752.
- Commutation of rations to acting, 668a, 668b.
- Comprise part of Medical Department, 728.
- Confirmation by Senate prior to recommissioning, 750g.
- Contract. See *Contract dental surgeons*.
- Detail of one, to Military Academy, 755.
- Examination for promotion, 750c.
- Increased to thirty-one, 755.
- Longevity pay, time served as contract, counted, 751.
- Majors, 750b.
- Number, 750a.
- Pay and allowances, 750, 750a.
- Promotions, by service, 750a.
- Qualifications for appointment, 750a.
- Rank, 750a.
- Recommission of, in active service, Dental Corps, 750f, 750g.
- Retirement, 750.
- Travel in Alaska, actual expenses only, 681.

DEPARTMENT:

- of Justice. See *Justice, Department of*.
- of the Treasury. See *Treasury Department*.
- of War. See *War Department*.

DEPARTMENT LIBRARIES:

- Depositories of public documents, 125, 125a.

DEPENDENT FAMILY:

- Discharge on account of, 1044b.
- Discharge on account of, transportation, 1349b.
- Discharge or furlough to reserve on account of, 1044a, 1044b.
- Support of, National Guard, etc., 1347a-1347f.

DEPENDENT PARENT:

- Discharge on account of, 1044, 1044a, 1044b.

DEPENDENT RELATIVES:

- Pensions to. See *Pensions*.

DEPOSITARIES:

- Property. See *Trading with enemy; Alien property custodian*.

DEPOSITARIES OF GOVERNMENT PUBLICATIONS, 1173, 125a.**DEPOSITARIES OF PUBLIC MONEY:**

- See also *Public moneys*.
- Annual report of unchanged balances, 183, 183a.
- Banks in Philippine Islands, Cuba, and Porto Rico may be, 182, 182a.
- Certain mints and assay offices to be, 181.
- National banking associations designated, 182, 182a.
- Where there is no treasurer, 184.

DEPOSITIONS:

- See also *Articles of War*.
- Subpoenas for witnesses for taking, 134.
- by Witnesses as to claims, 135.

DEPOSITS:

by Disbursing officers. See *Disbursing officers*.

by Enlisted men. See *Enlisted men*.
of Public moneys. See *Public moneys*.

DEPOT BATTERIES AND BATTALIONS:

NATIONAL ARMY—

Draft, organize and equip, 1636.

DEPUTY COMMISSARIES:

See *Military and naval insurance*.

DEPUTY PAYMASTERS GENERAL:

See also *Paymaster General*.

Duties, 620.

DESERTION:

See also *Articles of War*.

Aiding or enticing soldiers into, penalty, 1055.

Applications for removal of charge, 453, 454.

Arrest of deserters by civil officers, 106 A. W.

Arrest of deserters, who may make, 1056-1058.

Citizenship not forfeited by, during peace, 1052.

Citizenship rights forfeited by, 1050.

Citizenship rights may be remitted, 1052.

Deserters not entitled to bounty land, 1053.

Deserters not to be reenlisted, 1027.

Deserters who reenlisted in Navy or Marines, 445.

During Civil War, certain exempted, 443, 1051.

During Mexican War, removal of charge, 449, 450.

Excluded from Soldiers' Home, 1516.

Harboring, etc., deserters, penalty, 1055.

Pay and bounty due on removal of charge, 447.

Pension rights, forfeited by, 1054.

Regulations as to family allowances in cases of, 712k.

Removal of charge, effect on pay, etc., 451.

Removal of charge from rolls, 443.

Removal of charge, pay for period absent, 448, 452.

Removal of charge, restrictions upon, 450.

Restored deserters from Civil War, pension, 446.

Reward for apprehension of deserters, 1056-1058.

Secretary of War may remove charge of, 444.

DESERT LANDS:

Affidavits of persons in armed forces as to, before whom may be made, 1272l.

Enlisted man defined for purposes of act, 1272h.

Entry by claimant prior to enlistment, 1272f.

Notice of muster into service, filing of, 1272g.

Suspension of requirements as to persons in military service, 1272e.

DETACHED NONCOMMISSIONED OFFICERS:

Part of Regular Army, 331a.

DETACHED OFFICERS:

National defense act, effect on, 1106a.

Part of Regular Army, 331a.

DETACHED OFFICERS' LIST:

Constructive dates of original commission, 929g, 929h.

Details from each arm, 929d.

Details to future vacancies, 929f.

Includes detached officers under prior law, 929a.

Increase for duty with National Guard, 929a.

Law governing details applicable to, 929a.
Manchu law to govern assignments to, 929e.

Proportional number authorized, 925b.

Second lieutenants excluded in determining proportional number, 929b.

Seniority in grade or arm, 929h.

Vacancies, filling by detail, 929h.

Vacancies, filling by promotion, 929c.

Vacancies, filling, future, 929f.

DETACHED SERVICE:

See also *Details*.

Limitations on, penalty for violation, 384, 937, 938i, 938j.

Staff duty, certain, deemed with troops, 938.

DETACHMENTS:

of Enlisted men at remount depot, 541, 1070.

of Enlisted men at service schools, 1183.

in Hospital Corps, organization, 76.

of Marines serving with Army, rations, 590.

at Military Academy. See *Military Academy*.

of Navy, on shore duty, equipage, etc., 517, 590.

Remount. See *Remount detachments*.

at Service schools, organization, 1183.

DETAILS:

See also *Detached service*.

CLERKS—

from Bureaus to General Staff forbidden, 363.

to Commissions, boards, etc., 408.

of Departments to duty in office of President, 12, 12a.

of Executive departments, restrictions, 34.

from Field service to departments, 29, 30, 32.

from General Staff to bureaus forbidden, 31, 363, 362b.

from Government Printing Office, restriction, 33.

Statement of, in Book of Estimates, 102.

EMPLOYEES—

See also, this title, *Clerks*.

Duty outside District of Columbia, 2050.

DETAILS—Continued.

EMPLOYEES—Continued.

from Field service to departments, 29, 30.

Outside District of Columbia, restricted, 30a.

as Telegraph operators, on Capitol lines, 127.

ENLISTED MEN—

See also *Detachments*.

as Assistant to commissary of cadets, 1136a.

to Colleges, 1561, 1563.

to Extra duty, for 10 days or more, 565.

to Extra duty, while in field, 566.

of Hospital Corps as acting stewards, 767.

Instructors to rifle clubs, 954e.

with National Guard, 1332b.

at National Guard Encampments, 1328c.

of Ordnance Department as artificers, 822.

to Quartermaster Corps, to be replaced, 505.

for Recruiting duty, 704a-704c.

to Reserve Officers' Training Corps, 1561.

Restrictions on suspended, 938½a.

Retired on recruiting service, 1392.

as Stenographers of courts-martial, 1069.

NONCOMMISSIONED OFFICERS—

with Disciplinary organizations, 1332a.

with National Guard, 1332a.

to Reserve Officers' Training Corps, 1561.

Retired on recruiting duty, 1392.

Retired to colleges, etc., 946.

at Rifle ranges, 553c.

Restrictions on suspended, 938½a.

OFFICERS—

as Acting inspectors general, 459b.

as Acting judge advocates, 384, 469, 469a.

on Aviation duty, 384, 849.

to Aviation Section, 889c-889e, 889k, 889r, 889s, 929½a.

of Cavalry, on regimental staffs, 1077.

Chiefs of staff, National Guard divisions, 1325k.

to Colleges, etc., as instructors, 943, 944, 1560, 1563.

Corps of Engineers, to command regiments, 790f.

Cuba, 939.

to Detached officers' list, 929d-929h.

as Director of civilian marksmanship, 1580.

to Division of Militia Affairs, as chief, 371.

Eligibility, prior service in staff, 379.

Eligible for, restrictions on, 384, 937-938½.

of Field Artillery for instruction, 1183b.

DETAILS—Continued.

OFFICERS—Continued.

of Field Artillery on regimental staffs, 1090.

Field, restrictions, limited, 938½.

to Foreign countries, Cuba and Panama, 939.

to General Staff Corps, 365, 365a, 365b, 366.

as Indian agents, 940, 1396-1398.

Indian education, 942a, 942b.

of Infantry, on regimental staffs, 1100.

as Instructors in military tactics, 943, 944.

to Insular Bureau, as additional assistant, 159.

to Insular Bureau, as assistant, 158, 937.

to Insular Bureau, as chief, restriction on, 384.

of Line, restrictions, 937.

"Manchu law," 937.

of Medical Department with Red Cross, 728b.

to Military Academy, 1108, 1109.

to Military Academy, associate professor of mathematics, 1117a.

to Military Academy, dental surgeon, 755.

with Militia, District of Columbia, 959, 1373, 1374.

with Militia, inspectors, etc., 1332, 1333.

with National Guard, 1332b.

at National Guard encampments, 1328c.

with National Guard, temporary promotions on account of, 1332c-1332f.

of Navy, to inspect Army transports, 306.

in Ordnance Department, 384, 812-815, 812a, 813a.

in Ordnance Department, students, 813b.

to Panama, 939.

in Pay Department, 617, 618.

to Philippine Constabulary, as chief, etc., 384, 941.

of Porto Rico Regiment, 345b.

to Porto Rico Regiment, to command, 345a, 384.

in Quartermaster Corps, 495, 497, 508, 510, 511.

to Quartermaster Corps, as Chief, 501.

Reserve Officers' Training Corps, 1560.

Restrictions on, 384, 937-938½, 938½a.

Restrictions on suspended, 938½a.

Retired, as adjutant general District of Columbia Militia, 950.

Retired, to active duty, rank and pay, 958f.

Retired, to colleges, etc., 945-950.

Retired, to Organized Militia, 957, 958.

at Rifle ranges, 553c.

to Signal Corps, 887, 888.

to Signal Corps, Aviation Section, 889c-889e.

DETAILS—Continued.

OFFICERS—Continued.

- to Staff Corps, temporary, 1332d.
- to Staff Departments. See *Staff departments*.
- Study of law, forbidden, 469b.
- in Subsistence Department, 582, 583.

DETAINED PAY. See *Pay of enlisted men*.

DIPLOMATIC OFFICE:

- Acceptance of, by officers, effect, 997.

DIPLOMATIC OFFICER:

- Foreign government, punishment for falsely pretending to be, 1671.

DIRECTOR:

- Bureau of War Risk Insurance. See *Bureau of War Risk Insurance*.

DIRECTOR OF CIVILIAN MARKSMANSHIP, 1580.

DISABILITY:

- of Artisan or laborer. See *Laborers*.
- Federal employees. See *Injuries to Government employees*.

- Military control prior to discharge for, 1483ccc.

DISBURSEMENT OF PUBLIC MONEY:

- for a particular purpose or office, see *specific title*.

- Abroad. See *Accounts, Military Establishment*.

- Accounting officers. See *Accounting officers*.

- Accounts. See *Accounting of public money*.

- Additional compensation not to be paid for, 170.

- Appropriations. See *Appropriations*.

- Auditors. See *Auditors*.

- Disbursing officers. See *Disbursing officers*.

- in Excess of appropriations prohibited, 189.

- by Officers as agents of officers of Quartermaster Corps, 499a.

- Reports of, to be made to Congress, 413.

- Requiring receipt in excess amount, 418.

- Special agents for, to give bond, 248.

DISBURSEMENTS:

- Quartermaster Corps' officers to make, 689, 689a-689c.

DISBURSING AGENTS:

- Special for appropriation for auditing accounts, 205g.

DISBURSING OFFICERS:

- in a particular office or service, see the *office or service*; see also *Disbursement of public money*.

ACCOUNTS—

- See also *Accounts, Military Establishment*.

- Accessible to accounting officers of Treasury, 124.

- Accurate entry of each deposit, etc., 409.

- Administrative examinations, 198.

- Audit of at place other than seat of Government, 205a.

DISBURSING OFFICERS—Continued.

ACCOUNTS—Continued.

- Auditing accounts of, investigation of method, 40e.

- Disbursements to be by distinctive items, 410.

- Failure to render, 422.

- Inspections by Inspector General, 461.

- Inspections by Secretary of War, 412, 413.

- Monthly, according to appropriations, 416.

- Monthly, to bureaus to which they pertain, 415.

- Payment of certificates of balances abroad, 205d.

- of Premiums on sale of Treasury notes, etc., 402.

- Report of auditors as to outstanding checks, 183a.

- Report of unchanged balances, 183, 183a.

- Return of checks unpaid for three years, 241.

- Unchanged balances covered into Treasury, 244.

ADVANCES OF PUBLIC MONEY—

- Excepted from prohibition against, 407.

Appointment, salary, and duties, 23.

BOND—

- of Acting disbursing clerks, 24.

- Examination as to sufficiency, etc., 394.

- Failure to examine, effect, 396.

- Liability of principal under, when ended, 396.

- Limitation on liability of sureties, 398.

- President may regulate and increase, 388.

- Renewal every four years, 395.

- Required, 23.

- of Special agents employed, 248.

- Sureties to be notified of deficiencies, 397.

COURT OF CLAIMS, RELIEF IN—

- Decree by, 280.

- Jurisdiction of courts, 277.

Credits for payments to allottees, 712, 712a.

DUPLICATE CHECKS—

- Lost or stolen, etc., 245, 245a.

- Officer drawing original dead, 245.

DUTIES—

- Account for premiums or sale of notes, etc., 402.

- Allotments to be paid designated allottees by, 712.

- Counterfeit money to be marked by, 414.

- to Deposit excess money in Treasury, 400.

- to Deposit money intrusted to them, 399.

- Enumerated, 23.

- to Keep accurate entry of each deposit, etc., 409.

DISBURSING OFFICERS—Continued.

Examination of books, etc., by representatives of auditor, 205k.

Examination of books, etc., by representatives of comptroller, 205k.

Military establishment. See *Accounts, Military Establishment*.

OFFENSES—

Accepting receipt for funds not paid out, 426.

Certificate, making false, 429.

Conversion of public moneys, 419, 420.

Deposits, failure to make, 422.

Embezzlement, 419, 420, 423.

Embezzlement, prima facie evidence of, 424, 425.

Exchange of funds by, penalty, 401.

False entry, 171.

Receipt in excess amount, requiring, 418.

Rendering of accounts, failure in, 422.

Ordnance Department, designate other officers to handle public funds, 832a.

QUARTERMASTER CORPS—

Payments to reserve officers and enlisted men, Aviation Section, Signal Corps, 879k.

Statutes construed for, 202.

DISBURSING OFFICERS, ARMY:

Accounts, deposits, etc., inspection of, 461, 462.

DISCHARGE:**CLERKS—**

Restrictions on, 40, 41.

ENLISTED MEN—

Certificate, forging, etc., penalty, 131a.

Certificate issued under true name, 1048.

Certificate lost, etc., replacing, 1047.

Certificate to be returned after settlement of accounts, 214.

for Disability, baggage allowance, 721a.

Dependent family, 1044b.

Dependent family, furlough to Reserve or, 1044a.

Disability, military and naval control prior to, 1483ccc.

Dishonorable, etc., effect on death or disability compensation, 1483ooo.

Dishonorable, enlisted strength exclusive of, 332g.

Dishonorable, execution may be suspended, 1049.

Dishonorable, pay during suspended sentence, 727a.

Final at end of reserve period, 1031e.

Forging, etc., certificate of, penalty, 131a.

Honorable, on account of dependent parent, 1044, 1044a, 1044b.

Honorable, on removal of charge of desertion, 451.

National Guard, on termination of emergency, 1031h.

National Guard, travel allowance, 1045b.

DISCHARGE—Continued.**ENLISTED MEN—Continued.**

by Purchase in time of peace, 1043, 1043a.

Receiving dishonorable, reenlistment, 1052.

Receiving expenses of sea travel, 1046, 1046a.

Receiving honorable, preference to, 164, 165.

Receiving honorable, transportation allowed, 683, 721.

Receiving transportation to which entitled, 1045, 1045a.

Regular Army, on termination of emergency, 1031h.

Restrictions until expiration of seven years' service, 1031, 1031a.

Returning home, entitled to wear uniform, 1010b.

Sea travel, 1046, 1046a.

Travel allowance, 1045, 1045a, 1045b.

Volunteers to date from muster out of organizations, 1383f.

OFFICERS—

See also *Officers, Army*.

Actual expenses only for sea travel on, 683.

Certificate of lost, etc., replacing, 1047.

Evidence of, returned after settlement of accounts, 214.

Honorable, on failure on reexamination, 930.

Honorable, travel allowances, 684.

of Medical Corps, failure in examinations, 735, 736.

Supernumerary, after five years' service, 998.

Volunteers, certificates of nonindebtedness on 1383g-1383i.

Volunteers to date from muster out of organization, 1383i.

DISCIPLINARY BARRACKS:

See also *Military prison*.

BRANCH BARRACKS—

Authorization, 476a.

COMMANDANT—

Authorized, 480a.

Powers and duties, 481a.

Record of good conduct kept by, 481a.

CONTROL—

Vested in The Adjutant General, 477a.

CREATION, 475a, 475b.**DETACHMENT—**

Composition, 704.

Pay of enlisted men, 704.

DETENTION IN—

Sentences of, authorized, 475c.

DISCIPLINARY COMPANIES—

Arming, etc., authorized, 481b.

Authorized, 481b.

Detail of sergeants with, 1332a.

National defense act, effect on, 1106a.

Noncommissioned officers detailed from line, 480a.

Organization, 481b.

Part of Regular Army, 331a.

DISCIPLINARY BARRACKS—Continued.

Enlisted men. See this title, *Prison guard*.

Government. See this title, *Control*.

Military prison changed to, 475a, 475b.

Noncommissioned officers, additional for, 1332a.

OFFICERS—

Composition, 480a.

Detailed by Secretary of War, 480a.

PRISONERS—

Clemency to, authorized, 488a.

Disciplinary Companies. See this title, *Disciplinary companies*.

Employment at trades, etc., authorized, 481a.

Manufacture of military supplies, 487.

Parole authorized, 488b.

Record of good conduct kept, 481a.

Remission of portion of sentence authorized, 488a.

Restoration to duty authorized, 488a, 488b.

PRISON GUARD. See also this title, *Detachment*.

Battalion sergeant major authorized, 480a.

Detail of enlisted men to, 480a.

Enlisted men assigned from line, 480a.

Enlisted men, organization and pay, 704.

Extra-duty pay, 563a, 563c.

National defense act, effect on, 1106a.

Organization, 1104, 480a.

Part of Regular Army, 331a.

Regulations to be prescribed by Secretary of War, 481a.

DISCIPLINE. See *Articles of War*.

DISEASES. See *Contagious Diseases*.

Injury includes as to compensation, insurance, etc., 1483cc.

DISLOYALTY:

Causing, punishment, 13171d.

DISMISSALS:

in Classified service, 40.

DISMISSED OFFICER. See *Officers, Army*.

DISTANT STATIONS:

Advances of money to persons on duty at, 407.

Advances of pay to persons on duty at, 649.

DISTILLED SPIRITS:

See *Food and fuel conservation*.

DISTILLERIES:

in Indian country. See *Indian country*.

DISTRESS WARRANTS:

Against delinquent custodians, 224.

Disposal of surplus moneys after satisfying, 230.

Execution, method of, 226, 227.

Form and contents of, 225.

Injunction to restrain, 234, 235.

Issued, when and by whom, 231.

Jurisdiction of, 232.

Levy made in pursuance of, to become lien, 228.

DISTRESS WARRANTS—Continued.

Other remedies of United States not affected by, 236.

Persons aggrieved by, relief, 234, 235.

Postponement of issuance of, 233.

Sale of lands under, method, 229.

DISTRIBUTION OF PUBLICATIONS:

by Public Printer, exceptions, 85.

DISTRICT ATTORNEYS:

Duties in libel cases, food and fuel conservation, 1699.

Duties in protection of civil rights, 1447, 1451.

Fees in civil rights cases, 1451.

DISTRICT BOARDS:

See *National Army, Draft*.

DISTRICT COURTS:

Empowered to issue writs of habeas corpus, 266.

Jurisdiction as to rules, orders, etc., under trading with enemy act, 1425tt.

Jurisdiction over claims, 278.

Jurisdiction over offenses on high seas, 300, 301.

DISTRICT OF COLUMBIA:

Accountants, payments to, restricted, 81a.

Accounts of officers in, accessibility, 212.

Adjutant General, appointment, 1335b.

Advertising in newspapers in, 1203, 1204.

Appointments to Military Academy from, 1144.

Buildings in public grounds, etc., 1279b1.

Certificate of inspection of fuel in, 1244.

Condemnation proceedings, employment of counsel, 263a.

Detail of employees outside of restricted, 30a, 205o.

Discrimination against Army, uniform in, 1010.

Employees detailed for duty outside of, 30a, 205o.

Employees in Officers' Reserve Corps, leaves of absence, 1549a.

Employees of, in Officers' Reserve Corps, restoration, 1544a.

Employees of, absence on militia duty, 1331a, 1331b.

Flag, desecration, 1529a.

Fuel used in, inspection, 1242-1244.

General Staff officers, duty in, 369a.

Holidays in, days constituting, 53.

Home guards. See *Home guards*.

Inspection of fuel, 1243.

Lease of Armory, etc., for militia, 1372a.

Lease of storage accommodations in by Executive departments, 99b.

Local exemption boards, National Army, 1646-1648.

Militia. See *Militia*.

Open-market purchase of supplies, etc., outside, limitation, 1196a.

Per diem allowance for employees traveling outside of, 96c, 96d.

Price of gas to public buildings in, 122a.

Public grounds. See this title *Buildings in public grounds*.

DISTRICT OF COLUMBIA—Continued.

Punishment, failure of officers to perform duties under Selective Service act, 1660.

Quota for National Army, 1639, 1645.

Red Cross, temporary building in public grounds, 1279c, 1279d.

Rental of buildings in, 99, 99a, 99b, 118, 120, 1372a.

Revised Statutes, relating to title, 311.

Selective Service Act, utilize services of officers of, in its execution, 1657.

Storage accommodations in. See this title *Lease of storage accommodations*.

Temporary buildings for War Department in Smithsonian Grounds, 1279e.

DIVISION :

Composition, 356, 356a, 357.

Composition of staff of commander, 359.

Composition of typical, in time of war, 356a, 356b.

Infantry. See *National Army, Infantry Divisions*.

Ordnance officers on staff of commander, 816.

Organizations may be increased or decreased, 356b.

Signal Corps, organization, 890i, 890j.

Staff officers, may be volunteers, 360.

DIVISION OF INSULAR AFFAIRS. See *Insular Affairs, Bureau of*.**DIVISION OF MARINE AND SEAMEN'S INSURANCE. See *Bureau of War-Risk Insurance*.****"DOCKERY ACT" :**

Accounts to be examined under, 198.

DOCUMENTS :

See also *Books; Records*.

Appropriations chargeable for printing, etc., 114.

Authorized number not to be exceeded, 117.

Distribution to be made by Public Printer, 85.

Illustrations in, limitation on, 116.

Libraries of departments depositaries of public, 125, 125a.

Restrictions on printing by departments, 113.

Unlawful, concerning national defenses, penalty for making, etc., 13174.

DOMESTIC VIOLENCE :

Use of militia to suppress, 1418.

DONATION OF LANDS :

Acceptance for military purposes, 802c. for Aviation fields, 1274a.

for Aviation stations, 889qq.

Fortifications, acceptance, 802c.

for Remount stations, 1274a.

as Sites for fortifications, 804.

for Stations, 1274c.

DOORKEEPER :

at White House, 513.

DOUBLE SALARIES :

Exceeding \$2,500, exceptions, 169.

Exceeding \$2,000, exceptions, 169a, 169b.

DOUBLE TIME :

Counting for retirement, officers of Philippine Scouts, 339b.

DOUGLAS, FORT, UTAH :

Citizens' Training Camp, 1578.

DRAFT :

See this heading *National Army; Selective-service draft*.

to Fill reserve battalions, National Guard, 1325t.

of National Guard. See *National Guard, Federal Service*.

DRAFT ANIMALS :

See also *Horses*.

Restriction upon purchase, 537, 538.

DRAFTS. See *Checks*.**DRAFTSMEN :**

Chief of Ordnance may employ, 818.

Chief Signal Officer may employ, 895.

Employment of, restrictions, 27, 28.

DREDGING. See *River and harbor work*.**DRUM MAJORS :**

Pay, 701.

DUES :

Payment from public money prohibited, 81.

DUPLICATE CHECKS :

Issuance of, by disbursing officers, 245, 245a.

DUPLICATION OF WORK. See *Aircraft Board*.**DUTIES :**

Customs duties. See *Customs*.

of Officers. See *the officer*.

EASEMENTS :

for Telephone, electric, etc., lines, 1283.

EDUCATION :

Soldiers. See *Vocational training*.

EDUCATIONAL INSTITUTIONS :

See also *Colleges; Schools; Reserve Officers' Training Corps*.

Ammunition, etc., for instructions, 831a, 955b.

Appointment of National Army officers from certain, 1630.

Commutation for uniform supplied by, 1562a.

Details of officers, etc., at. See *Details*.

Issue of old-model ammunition to, 955a.

Issue of quartermaster supplies to, for instruction camps, 954c, 1562, 1563.

Issue of targets, etc., to, 954d.

Sale of Army supplies to, 951a, 951b.

Sale of ordnance property to, 951c.

EFFICIENCY, BUREAU OF :

Created as independent establishment, 40b.

Duplication of work, investigation as to, 40d, 40j.

Duties, 40c-40j.

Efficiency ratings, establishment of system of, 40c, 40d, 40l.

EFFICIENCY RATINGS :

of Civil-service employees, 40, 40c, 40d, 40i.

EIGHT-HOUR LAW:

Alien labor, Canal Zone, not covered, 1225, 1226.

Contractors penalized, right of appeal, 1222.

Date effective, 1225.

General provisions, 1218, 1219.

National emergency, suspension of, in time of, 1223, 1223a.

Naval vessels, contracts for, governed by, 1228-1230.

Ordnance purchased from firms observing, 1231.

Overtime work, rate of pay for, 1223b.

Penalty for violation, 1220.

President may waive, during time of war, 1223, 1223a.

Previous contracts not affected, 1221.

Public works, contracts governed by, 1219.

River and harbor work under, 1232.

Supplies and services excepted, 1223, 1223a.

Testes of cannon, contracts to include, 1231.

ELECTIONS:

Presence of troops at, forbidden, 1457-1461.

ELECTRICIANS:

Casemate. See *Casemate electricians*.

Master. See *Master electricians*.

ELECTRICITY:

for Executive departments, contracts for, 1197.

Sales of surplus from Government plants, 521, 521a, 521b.

ELECTRIC POWER COMPANIES:

Right of way for, over public lands, 1283.

ELIGIBILITY, CERTIFICATES OF:

Holders of, rights and liabilities, 923, 924, 14 A. W.

EMBARGO:

on Military transportation, prohibited, 525a.

EMBEZZLEMENT:

By a particular officer or of a certain class of property. See the specific title.

See also *Articles of War*.

EMERGENCY RATIONS:

See also *Rations, Army*.

Where issued, to be in addition to regular, 595.

EMPLOYEES:

See also *Officers*.

Abroad, sale of Army stores to, 205t.

Armories and arsenals, leaves of absence, 857d-857h.

Bonus, cash reward or premium to, 864a, 864b.

Civil employees of Military Establishment. See *Civilian employees*.

of Executive departments. See *Executive departments*.

Ordnance Department, repeal of monthly pay provision, 854b.

EMPLOYEES—Continued.**Temporary—**

War Department, 28a-28c, 44d.

War Department, report to Congress as to number, etc., 28b, 44d.

EMPLOYMENT:

Preference given to discharged soldiers, 165.

EMPLOYMENT OF MILITARY FORCE:

See also *Neutrality; Vessels*.

In Alaska, as posse comitatus, 1477.

Compelling foreign vessels to depart, 1473, 1473a.

During insurrections. See *Insurrection*.

at Elections prohibited, 1457-1461.

to Enforce neutrality of United States, 1479g, 1469v, 1472, 1472a, 1473.

in Enforcement of civil rights, 1449, 1454.

Enforcement of regulations, etc., for vessels in ports of United States, 1469l.

Enforcement of title as to arms, etc., intended for export, 1475l.

by Governor of Hawaiian Islands, 1478.

Guarding persons extradited for crimes, 1476.

in Indian country. See *Indian country*.

in Mexico, justified, 1475a, 1475b.

Movement of trains, etc., in time of war, obstructing, 525c.

as Posse comitatus, prohibited, 1480.

to Prevent discrimination against American vessels or citizens, 1469g.

to Prevent vessels departing without clearance, 1472a.

to Protect rights of discoverer of Guano, 1479.

ENCAMPMENTS:

of Militia. See *Militia*.

of National Guard. See *National Guard, training; Reserve Officers' Training Corps*.

Rosettes or knots for attendance of enlisted Reserve Corps at, 1583.

END OF THE WAR:

Defined. See *Trading with enemy*.

ENEMIES:

See also *Trading with enemy*.

Allen, not admitted to citizenship, 1064a.

Possession of vessels belonging to, within jurisdiction of United States, 1415b, 1415c.

Vessels, board to ascertain value of, 1415c.

ENEMY:

See *Trading with enemy*.

ENGINEER:

Battalions. See *Engineers, Corps of*.

Companies. See *Engineers, Corps of*.

Detachment at Military Academy, 1171.

Detachments, part of Regular Army, 331a.

School, equipment and maintenance, 1184.

School, purpose of, 1183.

ENGINEERS:

Restrictions on employment of, 27.

ENGINEERS, CORPS OF:**APPOINTMENT—**

from Cadet Corps, number, etc., 785, 786.

ENGINEERS, CORPS OF—Continued.

APPOINTMENT—Continued.

from Civil life, age, etc., 786.

Officers of Army, 786a.

Officers of Navy, 786a.

APPROPRIATIONS—

Settlement of transactions between, 808.

Subscriptions may be paid in advance, 801.

Assistant band leader, pay, 695a.

BAND—

Organization, 792, 792a.

Band leader, pay, 695a.

BATTALIONS—

Details to. See this title, *Details*.

Medical personnel of Volunteers, 1385.

Mounted, organization, 790d, 790e.

Organization, 793, 790b-790e.

Personnel, increase, 790c, 790e.

Battalion supply sergeant, pay, 695a.

Chaplain, authorization of one, 904.

Chief of Engineers. See *Chief of Engineers*.

COMPANIES—

Mounted, organization, 790d, 790e.

Officers for command, 794.

Organization, 790b, 790c.

Personnel, increase, 790c, 790e.

Strength of, 795, 796.

Composition, 784, 784a, 785, 790b-790e.

DETAILS—

to Battalions and commands, 794.

Limitation on, 789.

to Superintend construction of public works, 807.

as Superintendent, War Department Building, 154.

DISBURSEMENT OF PUBLIC MONEYS—

by Officers on work under their control, 807.

Electrician, pay, 695.

Employment of additional persons in, 161.

ENLISTED MEN—

Composition, 790, 784a.

to Constitute part of line of Army, 791, 791a.

Duties and instruction, 797.

Equipment and supplies, 798.

Horseshoer, pay, 695a.

Increase in, 796.

Organization, 790.

Master engineer, pay, 695a.

Mess sergeant, pay, 695a.

Musicians, pay, 695a.

OFFICERS—

Command of organizations, 790f.

Details of. See this title, *Details*.

May disburse public moneys, 807.

Increase in number, 785.

Limitation on number, appointment of, increased, 331**b**.

Mileage, 675a.

Promotions. See this title, *Promotions*.

ENGINEERS, CORPS OF—Continued.

OFFICERS—Continued.

Retired, assignment to active duty, 975d.

Retired, employment on harbor work, 799.

Serving with organizations, part of line of Army, 791a.

Transfer to another corps, 789.

ORGANIZATION—

of Battalions, 793, 790b-790e.

of Companies, 795, 796, 790b-790e.

of Corps of Engineers, 784, 785, 784a.

of Enlisted force, 790, 784a.

Increase, regimental, battalion, and company, 790c.

Part of Regular Army, 331a.

Privates, pay, 698.

PROMOTIONS—

According to seniority, 784.

Examination of officers for, 788.

of Lieutenants, after 14 years' service, 386.

Regimental supply sergeant, pay, 695a.

REGIMENTS—

Command, 790f.

Organization, 790a.

Personnel, increase, 790c.

Saddler, pay, 695a.

Sergeant bugler, pay, 695a.

Sergeant, first class, pay, 695a.

Sergeants, additional, details, 1332a.

Sergeants, pay, 695.

Stable sergeant, pay, 695a.

Supply sergeant, pay, 695a.

Travel, per diem in lieu of subsistence, 808a.

Wagoner, pay, 695a.

ENGINES:

Aviation. See *Signal Corps, Aviation Section*.

Exchange in part payment for new, 1261b, 1261c.

ENGRAVINGS:

Advocating treason nonmailable, 253c.

Pictures, prints, photographs, and, nonmailable, when, 253a.

ENLISTED MAN:

See *Enlisted men*.

Allotments of Pay. See *Allotments of pay*; *Pay of enlisted men*.

Chauffeurs. See *Signal Corps, Enlisted men*.

ENLISTED MEN:

For a particular class or those in a particular branch of the service, see the specific title.

ABSENCE—

Due to misconduct, etc., without pay, 666, 107 A. W.

Without leave, must be made good, 666, 1035, 107 A. W.

Without leave, not to be paid during, 448, 452.

Appointment as cadets, 1139b.

ENLISTED MEN—Continued.

ARREST—

for Debt, exempt from, exception, 1067.

Badges. See *Badges*.

Baggage lost in military service, 217, 217a.

Bounties. See *Bounties*.

Certificates of merit. See *Certificates of merit*.

Civil employment, prohibited, 701a.

CLAIMS—

no Deductions for attorney's fees, 219.

for Property lost in service, 217, 217a.

Clothing. See *Clothing, Army*.

Commutation of rations when on furlough, etc., 611b, 611e.

Cooking for. See *Cooking*.

Credit for service. See *Pay of enlisted men; Retirement, Army*.

DECEASED—

See also *Articles of War*.

Beneficiaries, payment to, in certain cases, 1061, 1062.

Expenses of interment, 1063.

Removal of remains from abandoned posts, 1063.

Settling accounts of, 1059, 1060.

Transportation to national cemeteries, 1063.

Defined as to allotments, allowances, etc., 1483z.

DEPOSITS OF SAVINGS—

Appropriation for interest, 716b.

Deposited in Treasury as a separate fund, 716.

Deposit of unallotted pay to credit of, 716c, 716d.

Interest on \$5 or over, 717.

Interest, payment of principal and, 716d.

Military, etc., pay deposit fund created, 716a.

Payable on discharge, 575.

with Paymasters, regulations, forfeiture, 716.

Payment of principal and interest, 716b, 716d.

Regulations by Secretary of War, 718.

Desertion. See *Desertion*.

Detachments. See *Detachments*.

Details. See *Details*.

DISABILITIES—

Civil offices, ineligible for, 960.

Discharge. See *Discharge*.

Draft, Signal Corps. See *Signal Corps*.

DUTIES—

Acting as servants to officers not included, 1068.

Eligibility. See *Certificates of eligibility*.

EMPLOYMENT—

in Competition with civilians prohibited, 701, 701a.

as Stenographers of courts-martial, 1069.

"Enlisted man" defined. See *Desert lands; Family allowances; Military and naval compensation; Military and naval insurance*.

ENLISTED MEN—Continued.

Enlistment. See *Enlistment*.

Equipment. See *Clothing, Army*.

Examinations for promotion, 920-923.

FOREIGN ARMIES—

Traveling expenses while attached to United States Army, 673b, 889yy.

Forging, etc., certificate of discharge, penalty, 131a.

Furlough. See *Furlough*.

Increase by increments, 331b.

Instruction of, by chaplains, 915.

Letters of, may be forwarded unpaid, 251.

Medals, bronze. See *Medals*.

Medals of honor. See *Medals of honor*.

MEDICAL TREATMENT—

Employment of extra nurses for care of, 777.

of Families, free of charge, 742.

Injured. See *Military and naval compensation*.

in Private hospitals in certain cases, 776, 776a, 776b, 776d.

Ruptured in line of duty, truss, 783.

Merit, certificates of. See *Certificates of merit*.

NATIONAL ARMY—

Grouping of units by States, etc., 1662.

Naturalization. See *Naturalization*.

Noncommissioned officers. See *Noncommissioned officers*.

NUMBER—

Limited to 100,000 men, 332.

Maximum, 332, 332e.

Maximum in emergency, 332b, 332c, 333.

Maximum strength during exigencies, 333.

Medical Department, excluded from limit, 756a.

Minimum, 332d.

Not to be increased by remount detachments, 541.

Sentenced to dishonorable discharge, excluded from limit, 332g.

OFFENSES—

See also *Articles of War*.

Aiding or enticing soldier to desert, 1055.

Harboring, concealing, etc., deserter, 1055.

Pay. See *Pay of enlisted men*.

Pensions. See *Pensions*.

Promotions to second lieutenants, 331d, 331f, 920-923.

Property lost in military service, 217, 217a.

Quarters. See *Quarters, Army*.

Rank of chauffeurs, 890h.

Rations. See *Rations, Army*.

at Recruiting depots. See *Recruiting depots*.

Recruits. See *Recruits*.

ENLISTED MEN—Continued.

REENLISTMENT—

Men discharged from Army to accept commissions in National Guard, 1043b-1043d.

Regulating sale of alcoholic liquors to, 1295a-1295d.

Retirement. See *Retirement, Army*.

SALES TO—

of Subsistence stores. See *Subsistence stores*.

Savings. See, this title, *Deposits of savings*.

SERVANTS—

Not to act as, to officers, 1068.

Teachers for vocational instruction, 1293a, 1293b.

Tour of duty in Canal Zone and Philippine Islands, limit on, 330a.

TRANSFER—

to Hospital Corps as privates, 766, 1037.

to Navy or Marine Corps, 1036.

Transportation on discharge. See *Discharge*.

Vocational instruction, 1293a, 1293b.

Vocational training. See *Vocational training*.

ENLISTED MEN'S CLUB:

Sale of alcoholic liquors at, 1295b.

ENLISTMENT:

Age limit. See this title *Qualifications*.

Bounties for, prohibited, 1643.

Cook instructors as sergeants, Quartermaster Corps, 506c.

Defined as to allotments, family allowances, etc., 1483aa.

Excessive, for foreign service, 332a. of Filipinos, 335.

in Foreign service. See *Neutrality*.

FRAUDULENT ENLISTMENT—

Punishable by court-martial, 1033; 54 A. W.

of Indian scouts, 334.

Injured persons while taking vocational training, 1293j, 1293k, 1293l.

National Army, Infantry divisions, age limit, 1383c.

National Guard. See *National Guard*.

PREMIUMS—

Accepted recruits, 1032, 1032a, 1032b.

Accepted recruits, repealed, 1032b.

QUALIFICATIONS—

Age limit, 1026, 1027, 1028, 1028a, 1029.

Age limit, voluntary, National Army, 1661.

Aliens ineligible in peace, exceptions, 1029.

Deserters ineligible, exception, 1027, 1052.

Intoxicated persons ineligible, 1027.

Minors under 16 ineligible, 1027.

Minors, written consent of parents, etc., 1028, 1028a.

Porto Ricans, when eligible, 342.

Recruits. See *Recruits*.

ENLISTMENT—Continued.

REENLISTMENT—

Age limit does not apply, 1026.

in Army reserve, bounty for, 1031, 1031o.

Bonus for, within three months, 706.

Bounty in time of war, 1031o.

of Deserters in time of peace, 1052.

Increased pay for, within three months, 1034, 1043c, 1043d.

Men discharged to accept commissions in National Guard, 1043b-1043d.

Noncommissioned officers, rank at discharge, 1034a.

Obstructing, punishment, 13174d.

of Porto Ricans in Regular Army, 349.

Qualifications, 1030, 1052.

for Service against United States, punishment, 1415k.

Special and technical troops, National Army, 1641.

TERM—

Continued at outbreak of war, 1031h, 1031h4.

Fixed at three years, 1030, 1031d.

Fixed at seven years in Army and reserve, 1031, 1031a, 1031d, 1031h.

Method of determining continuous service, 1031d, 1035.

Unauthorized absences must be made good, 666, 1035, 107 A. W.

Termination of certain, at close of war with Germany, 1031h.

Voluntary or draft to maintain maximum strength, 1637.

ENLISTED RESERVE CORPS:

See also *Regular Army Reserve*.

ACTIVE SERVICE—

in Emergency, 1597.

Not a right, 1599.

for Training, 1586, 1587.

with Volunteers, 1598.

Arms and equipment, accounting for, on discharge, 1593.

Assignment to Army as reserves, 1585.

Aviation Section, active pay, 889cc, 879j, 879k.

Certificates of enlistment, 1582.

CLOTHING—

Accounting on discharge, 1593.

Exchanged when unserviceable, 1592.

Issue, 1590.

Property of United States, 1591.

Constitution, 1581.

Dental students, regulations for enlisting in, 1591a.

Discharges, 1595.

Eligibility for, 1582.

Enlistment period, 1582.

Medical students, enlistment in, 1591a.

Part of Army of United States, 329a.

Pay, 1588, 1597.

Penalty for failure to comply with orders, 1596.

Pensions, 1589.

Purpose, 1581.

Rank, 1582, 1597.

Retirement, not entitled to, 1589.

ENLISTED RESERVE CORPS—Cont'd.

- Rosettes or knots for attendance at encampments, 1583.
- Rosettes or knots, unauthorized wearing penalty, 1584.
- Subject to Articles of War, when, 1594.
- Training period, 1586.
- Training period, extension, 1587.
- Uniform, same as Army, 1590.
- Voluntary service, acceptance for training of, 1544b.
- Volunteers, service with, 1598.

ENLISTED STRENGTH. See *Enlisted men, number; Line of the Army.*

ENSIGNS, NAVY:

- Relative rank with Army, 352.

ENVELOPES:

- See also *Mail matter.*
- Executive departments to procure, 254.
- "Official Business," printed on certain, 252.
- Official, penalty for private use, 253.
- "Penalty" clause to be printed on, 254.
- Postmaster General to contract for all, 254a, 254b.
- Return penalty may be inclosed, 256.
- Use of penalty, correspondence under Selective Service Act, 1659.

EPIDEMIC DISEASES:

- Measures for dealing with, in Army, 778.

EQUAL RIGHTS. See *Civil rights.*

EQUIPMENT:

- of Soldiers, sale prohibited, 1262.

ESCAPE:

- from Military prison. See *Military prison.*

ESPIONAGE:

- See also *Foreign Commerce; Foreign Governments; Foreign Languages; Foreign Relations; Neutrality; Vessels; etc.*

GENERAL PROVISIONS, VARIOUS TITLES UNDER—

- Effect of partial invalidity of act, 1475t.
- Jurisdiction of offenses, 1475r.
- Prosecutions under prior laws, repealed, etc., 1475s.
- United States defined, 1475q.

ESTIMATES:

- by a particular office or officer, or in connection with a particular subject, see the specific title.

Annual for per diem allowances outside D. C., 96c, 96d.

Books of Estimates. See *Book of Estimates.*

CONTENTS—

- All annual, for the public service, 91.
- Amount for next fiscal year stated, 88.
- Annual, information to accompany, 102.
- Arrangement, 90.
- Changes desired, propositions for, 90.
- Explanation of new items, 89.

ESTIMATES—Continued.**CONTENTS—Continued.**

- for Lump-sum appropriations, 96, 96a, 96b.
- for Lump-sum appropriation, method of making, 96b.
- Outstanding appropriations included, 88.
- of Special or additional estimates, 91, 91a.
- Unnecessary words to be eliminated, 87a.

Variation from current, to be noted, 89. of Executive departments. See *Executive departments.*

FURNISHED TO SECRETARY OF THE TREASURY—

- Failure to furnish, 87.
- by October 15, required, 87.

PREPARATION—

- Designation of official to supervise, 87a. under Direction of Secretary of Treasury, 86.
- Officers' compensation, founded by law, 95.

SUBMISSION TO CONGRESS—

- Through Secretary of the Treasury, 86, 92.

EVIDENCE:

- Certificate of appointment of Alien Property Custodian in all courts, 1424l, 1424m.
- Certified copy of record of appointment of Alien Property Custodian, 1424m.
- Claims. See *Claims.*
- Compelling witness to furnish, 136.
- Court of Claims. See *Court of Claims.*
- of Embezzlement, prima facie, 424, 425.
- Original records required in certain cases, 247.
- Pamphlet copies of statutes, 321.
- Revised Statutes legal evidence, 310, 318.
- Statutes at Large are legal evidence, 321.
- Supplement to Revised Statutes prima facie, 320.
- Transcripts from Treasury books, 247, 424.

"EVIL PRACTICES." See *Food and fuel conservation.*

EXAMINATIONS:

- For appointment of a particular officer, see the specific title.
- of Accounts. See *Accounting of public money.*
- of Bonds. See *Bonds.*
- under Civil service. See *Civil service.*
- Coast and Geodetic Survey, appointment and promotion, 534l.
- Dental Corps, 750e.
- of Enlisted men for promotion. See *Second lieutenants.*
- at Military Academy. See *Military Academy.*
- of Officers. See *Officers, Army.*
- Pension cases. See *Pensions.*

EXAMINING BOARDS:

- Promotion of enlisted men, 921.
- Promotion of officers. See *Officers, Army*.
- Veterinary Corps, composition, 728a.

EXCHANGE:

- Aeroplanes, 1261b, 1261c.
- Band instruments, 1261a.
- Engines, 1261b, 1261c.
- of Funds, restrictions upon, 401.
- Labor-saving machinery, 1261a.
- Motor-propelled vehicles, 1261b, 1261c.
- Motor trucks, 1261a.
- Passenger-carrying vehicles, 1261a.
- Post. See *Post exchange*.
- of Sewing machines, etc., 1261a.
- of Typewriters. See *Typewriters*.
- of Unserviceable powder and shot, 837.

EXECUTIVE DEPARTMENTS:

For a particular department, see the department.

Absence, leaves of. See, this title, *Employees*.

Accountants, payments to, restricted, 81a.

Accounts. See *Accounting of public money*.

Adding machines. See, this title, *Supplies*.

ADVERTISEMENT—

- for Bids for supplies, 1196.
- in District of Columbia, limitations, 1203, 1204.
- in Newspapers, written authority, 1201.

Rates to be paid newspapers, 1202.

Annual reports. See, this title, *Reports*.

APPROPRIATIONS—

See also *Appropriations*.

Estimates for. See, this title, *Estimates*.

Expenditures in excess of, prohibited, 188.

Lump-sum, payment of salaries restricted, 35.

Membership fees, etc., not to be paid, 81.

Payment of accountants from, restricted, 81a.

Payment for private telephones prohibited, 83.

ARMS—

for Protection of public money, etc., 830, 847.

Automobiles. See, this title, *Vehicles*.

BOOKS—

See also, this title, *Documents*.

Public Printer to furnish blank, 112, 112a.

BUILDINGS—

Price of gas in public, District of Columbia, 122a.

Public. See *Public buildings*.

Rental in District of Columbia, 118-120.

Rental of storage accommodations in District of Columbia, 99b.

Statement of, rented, 99, 99a.

EXECUTIVE DEPARTMENTS—Cont'd.

BUILDING—Continued.

Temporary office for War and Navy Departments, 154d.

BUREAU OF EFFICIENCY—

Classification, salary, and efficiency of employees, 401.

Duplication of work, investigation of, 40d, 40j.

Information, access to records, etc., 40h.

Bureau of War-Risk Insurance. See *Bureau of War-Risk Insurance*.

BUREAUS—

Absence of chief, who may act, 14.

Action by chief of, on report of chief clerk, 22.

Death of chief, who may act, 14.

Temporary chief of, 14.

Carriages for officers and employees, 82, 82a.

CHIEF CLERKS—

Duties, 20, 21.

Oaths of office to employees, 57.

Oaths to travel accounts, 65.

Reports by, 21, 22.

CLAIMS—

Before Court of Claims. See *Court of Claims*.

Before departments. See *Claims*.

CLERKS—

See also, this title, *Employees*.

Appointment of women as, 26.

Auditing accounts abroad, number and compensation, 205h.

Bureau of War Risk Insurance. See *Bureau of War Risk Insurance*.

Chief. See, this title, *Chief clerks*.

Classification of, 43.

Compensation of, 44, 44a, 44b, 44c.

Detail, for duty in office of President, 12, 12a.

Disbursing. See, this title, *Disbursing clerks*.

Extra services, no compensation for, 46, 47.

Increased compensation for certain grades, 44a, 44b.

Payment from contingent funds prohibited, 28, 32, 74.

Performing duties of another, not paid for, 47.

Rates of pay compared with State and municipal clerks, 40g.

Temporary, compensation of, 45.

Transfer between departments, etc., 36, 36a-36e.

CLOSING—

on Death of ex-official prohibited, 123.

Contingent funds. See *Contingent funds*.

CONTRACTS—

See also *Contracts*.

Advance payments for supplies, 407a, 407b.

in Excess of appropriations, prohibited, 188.

for Supplies. See, this title, *Supplies*.

EXECUTIVE DEPARTMENTS—Cont'd.

Counsel. See, this title, *Heads of departments*.

Details. See, this title, *Employees*.

Disbursements. See *Disbursements of public moneys*.

DISBURSING CLERKS—

See also *Disbursing officers*.

Appointment and bond, 23.

Bond acting, bound by, 24.

Books accessible to accounting officers, 124.

DOCUMENTS—

See also, this title, *Books*.

Distribution, lists furnished Public Printer, 85.

Distribution by, prohibited, exception, 85.

Libraries depositories of public, 125, 125a.

Printing, authorized number not exceeded, 117.

Reports. See, this title, *Reports*.

Restrictions on printing, 113.

EMPLOYEES—

Abroad, limit on compensation of, 205v.

Abroad, sale of army stores to, 205t.

Absence in excess of leave, without pay, 50.

Accountant, payments to, restricted, 81a.

Active duty in Officers' Reserve Corps, restoration, 1544a.

Auditing accounts abroad, additional duties, 205r.

Auditing accounts abroad, restoration to former positions, 205n.

Bureau of War Risk Insurance. See *Bureau of War Risk Insurance*.

Civil-service examinations held in State of applicant, 166a.

Clerks. See this title, *Clerks*.

not Compensated for administering oaths, 58.

Compensation of, 44, 44a, 44b, 44c.

Compensation increased for certain, 44a, 44b.

Compensation, increased on transfer to independent establishment, etc., 36b-36d.

Deceased, transportation of remains of, 84, 44c.

Detail in District of Columbia from without, prohibited, 29, 30, 32.

Details for duty outside District of Columbia, 30a, 205o.

Details for services outside of District of Columbia, restricted, 30a, 205o.

Details with boards, etc., prohibited, 408.

Details within departments, 34.

Discharge of, restrictions, 40.

Efficiency ratings, establishment of, 40, 40c, 40d.

Employment in excess of authority prohibited, exception, 37, 188, 1195.

EXECUTIVE DEPARTMENTS—Cont'd.

EMPLOYEES—Continued.

Established and fixed, 40a.

Establishment of pension roll prohibited, 38.

False or fictitious entry or report, 171. may Furnish information to Congress, 42.

Hours of labor. See, this title, *Hours of labor*.

Holding more than one office with salary exceeding \$2,500, exceptions, 169.

Holding more than one office with salary exceeding \$2,000, exceptions, 169a, 169b.

Investigating frauds, may administer oaths, 64.

Issue of arms to, 847.

Laborers. See, this title, *Laborers*.

Leave, annual, in addition to sick, 51.

Leave, annual, exclusive of Sundays, etc., 52.

Leave, annual, with pay, 50.

Leave, with pay, contagious diseases, 50.

Membership fees, etc., United States not to pay, 81.

Messengers. See, this title, *Messengers*.

Oath of office, form, 59, 60.

Oath of office, who may administer, 57, 62, 63.

Oaths, before whom may be taken, 63.

Oaths to travel accounts, 65.

Officers. See, this title, *Officers*.

in Officers' Reserve Corps, leaves of absence, 1549a.

in Officers' Reserve Corps, restoration, 1544a.

Payment from lump-sum appropriations restricted, 35.

Payments to incapacitated, forbidden, 39.

Per diem, computation of increased pay, 441.

Per diem, to receive pay on holidays, 54, 55, 56.

may Petition Congress, 42.

Piecework, computation of increased pay for, 441.

Preference to honorably discharged soldiers, 41.

Prohibited assisting in prosecution of claims, 430.

Prohibited receiving double salaries in excess of \$2,000, exceptions, 169a, 169b.

Prosecution of claims by ex-employees, 140.

Rates of pay compared with State and municipal clerks, 40g.

Reduction of, restrictions, 40.

Removal, on charges in writing, 42.

Report of inefficient, 103.

Restrictions on employment, 27.

Rules for division of time in computing pay of, 44g.

EXECUTIVE DEPARTMENTS—Cont'd.

EMPLOYEES—Continued.

- Sick leave with pay, 50.
- Soliciting contributions, 177.
- Subsistence allowance outside District of Columbia, 96c, 96d.
- Temporary, War Department, 28a, 28c, 44d.
- Transfer between departments, 36a—36d.
- Transfer from regular to lump-sum rolls, 35.
- Transfer to independent establishment, etc., 36a—36c.
- Transfer to other departments at increased compensation, 36b—36d.
- Travel expenses, limitation upon, 680a.
- Use in mobilizing and paying, reserve, 1031n.
- Voluntary services. See, this title, *Voluntary services*.

Envelopes. See, this title, *Supplies*.

ESTIMATES—

- See also *Estimates*.
- Annual, information to accompany, 102.
- Arrangement to conform to current acts, 90.
- in Books of estimates, 86.
- for Compensation of officers, 95.
- Date for submission, 87.
- for Deficiencies, method of transmitting, 92.
- Designation of official to supervise preparation, 87a.
- for Lump-sum appropriations, 96, 96a, 96b.
- for Lump-sum appropriations, method of making, 96b.
- Method of preparing, 93.
- Per diem allowance outside District of Columbia, 96c, 96d.
- for Printing and binding, 94.
- for Printing and binding furnished, 114.
- for Public buildings or works, 97.
- for Purchases, etc., of passenger-carrying vehicles, 82a.
- Special statement as to necessity, 91, 91a.
- Statement of rented buildings, 99.
- Submitted through Secretary of Treasury, 86.
- Unnecessary words to be eliminated, 87a.
- Variation from current to be explained, 89.

FORMS—

- Public Printer to furnish, 112.

HEADS OF DEPARTMENTS—

- for the head of a particular department, see the specific title.
- Absence of, who may act, 13.
- Action by, on report of chief clerk, 22.
- Assistant to perform duties on death, etc., 13.

EXECUTIVE DEPARTMENTS—Cont'd.

HEADS OF DEPARTMENTS—Continued.

- Authorized to employ clerks, etc., 25.
- Counsel furnished, examination of witnesses, 137.

Department of Justice to furnish counsel, 138, 264.

Employment of counsel prohibited, 138.

*Estimates by. See this title, *Estimates*.

to Furnish data for Official Register, 111.

Hours of labor designated by, 48, 49.

Inventories and returns of public property, 109, 110.

President may require opinion, 2.

Purchase of newspapers by, 77.

Regulations for property returns, 1259.

Regulations to be prescribed by, 19.

Reports of. See this title, *Reports*.

may Subpoena witnesses as to claims, 134.

Temporarily act as head of other department, 15.

Temporary appointments as, restrictions, 16, 17.

Written authority for advertising required, 1201.

HOURS OF LABOR—

for Employees to be not less than seven, 48.

Extension of, if work is in arrears, 49.

Extension of, permitted, 48.

Illustrations. See this title, *Reports*.

LABORERS—

See also this title, *Employees*.

Authority to employ, 25.

Compensation, 44.

Employment, restrictions, 27, 28.

LAW BOOKS—

Purchase from contingent funds, 78.

Specific appropriation necessary, 78.

LIBRARIES—

Depositories of public documents, 125, 125a.

Magazines. See this title, *Periodicals*.

Mechanics. See this title, *Laborers*.

MESSENGERS—

See also this title, *Employees*.

Compensation, 44.

Employment authorized, 25.

Employment, restrictions on, 27, 28.

NEWSPAPERS—

See also this title, *Periodicals*.

Advertisement in. See this title, *Advertisements*.

Expenditures for, limited, 76.

Purchases from contingent funds limited, 77.

Oaths. See this title, *Employees*.

OFFICERS—

See also this title, *Employees*.

Estimates for compensation of, 95.

Payment from contingent funds prohibited, 28, 32.

EXECUTIVE DEPARTMENTS—Cont'd.

OFFICERS—Continued.

Performing duties of another office, pay, 18.

PERIODICALS—

See also this title, *Newspapers*.

Purchase of, from contingent funds restricted, 78.

Subscriptions for, payment in advance, 77a.

Personal services. See this title, *Employees*.

Postage stamps. See this title, *Supplies*.

Postal Guide, official, 1236c.

PRINTING AND BINDING—

See also this title, *Documents*.

Appropriations chargeable, 114.

Blank books and, done at Government Printing Office, 112a.

Detail from Printing Office for, 33.

Estimates for, 94.

Estimates furnished by Public Printer, 114.

Illustrations, restrictions on, 116.

PROPERTY—

Inventories and returns, 109, 110.

Purchase of arms for protection, 830, 847.

Regulations for returns, 1259.

RECORDING CLOCKS—

Use, in Washington, forbidden, 121.

REPORTS—

Annual as to expenditures for military establishment, etc., 44g.

Annual by heads, time for, 104.

Annual when furnished Public Printer, 106, 106a.

Failure to make required, penalty, 110.

of Heads, certain matter excluded, 107.

Illustrations, restrictions on, 116.

of Inefficient employees in estimates, 103.

Inventories and returns of public property, 109, 110.

Monthly, as to condition of business, 49.

Monthly, by chief clerks, 21.

Number and grade receiving increased compensation, 44b.

Printing, authorized number not exceeded, 117.

of Proceeds of sales and other receipts, 101.

Quarterly, to President, 108.

Regulations for returns of property, 1259.

of Typewriters, etc., exchanged, 75a.

Returns. See this title, *Reports*.

SEALS—

See also *Seal of the United States*.

Counterfeiting, etc., punishment, 1531b.

Fraudulently affixing to instruments, etc., punishment, 1531a.

Selective-service act, utilize services of officers of, in its execution, 1657.

Services. See this title, *Supplies*.

EXECUTIVE DEPARTMENTS—Cont'd.

Stationery. See this title, *Supplies*.

STORAGE ACCOMMODATIONS—

Leasing in D. C. for period of six years, 99b.

Subscriptions. See this title, *Periodicals*.

SUPPLIES—

Adding machines, exchange authorized, 75a.

Advertisement for bids, 1196.

Contracts for telephone, electricity, etc., 197.

Contracts limited to one year, 1194.

Envelopes, all to be contracted for by

Postmaster General, 254a, 254b.

Envelopes to be procured by, 254.

Exchange of typewriters, etc., authorized, 75a.

Open-market purchases, 1196.

Postage supplied by Postmaster General, 126.

Purchase of, restrictions, 75.

Purchase through General Supply Committee, 1197.

Typewriters, exchange authorized, 75a.

Telegraph to Capitol. See *Telegraph lines*.

Typewriters. See this title, *Supplies*.

USELESS PAPERS—

Disposition of, 132, 133.

VEHICLES—

Carriages for officers, etc., 82.

Purchase of passenger-carrying, restricted, 82a.

VOLUNTARY SERVICE—

Acceptance of, forbidden, exception, 37, 188, 1544b.

Officers Reserve Corps, for training, etc., 1544b.

WATCHMEN—

Employment authorized, 25.

Employment, restrictions on, 27, 28.

Salary, 44.

WOMEN—

Appointment of, as clerks, 26.

Salary, as copyists, 44.

EXECUTIVE OFFICES. See *President of the United States; White House*.

EXECUTORS:

Failure to recognize priority of United States, 222.

EXPENDITURES. *Of a particular office or service, see the specific title; see appropriations; disbursements of public money.*

EXPERT ACCOUNTANTS:

In Inspector General's Department. See *Inspector General's Department*.

EXPERT RIFLEMEN:

Additional pay for qualifying, 699, 699a.

EXPLOSIVES:

Transportation over navigable waters in prescribed areas, 1315c, 1315d.

EXPORTS:

Arms, etc., intended for. See *Neutrality*. Certain, in time of war unlawful, 1475m-

1475p.

Punishment for exportation, etc., 1475m.

EXPORTS—Continued.

Punishment for taking vessels out of port in time of war, 1475p.

Refusal of clearance to vessels for certain, in time of war, 1475o, 1475p.

EXTORTION:

by Officers, etc., penalty, 1252.

EXTRA DUTY:

Details on. See *Details*.

Pay for. See *Pay of enlisted men*.

EXTRA PAY:

of Enlisted men. See *Pay of enlisted men*.

EXTRAORDINARY EMERGENCY:

Mississippi River levee work considered, 1227.

EYES:

Maximum compensation for loss of both, 1483xx.

FACTORIES:

See *Food and fuel conservation*.

Commandeering or requisitioning for military purposes, 1708–1713.

FALSE CERTIFICATE:

Penalty for making, 429.

FALSE STATEMENTS. See *Perjury*.**FAMILIES. See *Dependent families; Family allowances*.****FAMILY ALLOWANCES:**

See also *Allotments of Pay*.

Age limit of child or grandchild, exception, 1483v.

Amount of, and of allotment not to exceed former support, 712u.

Amount payable to divorced wife, 712o.

Amount payable to illegitimate child, 712q.

Amount payable to wife living apart, 712p.

Appropriation for payments from, 712aa.

Brother defined as to, 1483x.

Child defined as to, 1483t.

Coast Guard, when entitled to, 1483ee.

Commissioned officer defined as to, 1483y.

Distributed by Treasury Department, 712w.

ENLISTED MEN—

Amount, 712h.

Amount of monthly, dependent upon then existing conditions, 712z.

Apportionment of allotments and, between classes A and B, 712v.

Compulsory allotment prerequisite for payment to class A, 712n.

Conditions prerequisite to payments to class B, 712r, 712s.

Date from which operative, 712j.

Defined as to, 1483z.

Desertion cases, regulations as to, 712k.

Duration of, 712i.

Imprisonment cases, regulations as to, 712k.

Investigations as to allotments and, 712x–712z.

Missing men cases, regulation as to, 712k.

FAMILY ALLOWANCES—Continued.**ENLISTED MEN—Continued.**

Modification of award where conditions have changed, 712y.

Rates for grandchild, parent, etc., class B, 712n.

Rates for wife and children, class A, 712l.

Enlistment defined as to, 1483aa.

False statement in claim for, punishment, 1483il.

Fraudulent acceptance of payment, punishment, 1483jj.

Grandchild defined, 1483u.

Injury defined to include disease as to, 1483cc.

Limitation on amounts payable to Class B, 712t, 712u.

Man defined as to, 1483z.

Marriage, presumption of, in connection with, 1483s.

Military or naval forces defined as to, 1483ee.

Minors, payments to, 1483ff.

National Naval Volunteers, when entitled to, 1483ee.

Naval Reserve when entitled to, 1483ee.

Officers. See, this title, *Commissioned officer; Warrant officer*.

Parent defined, 1483w.

Pay defined as to, 1483dd.

Presumption of marriage in connection with, 1483s.

Sister defined as to, 1483x.

Warrant officer defined as to, 1483y.

FARRIER:

Designation of, with each organization, 703.

Medical Department, percentage of, 766e.

Pay, 695a, 697.

Pay, additional, as horseshoer, 698.

FEDERAL TRADE COMMISSION:

Access to books, papers, etc., of mine operators, 1756.

Agency for exercising authority as to coal and coke production, etc., 1745.

Compensation for coal and coke plants taken over to be fixed by, 1747.

Inquiry into cost of production of coal and coke, 1755, 1756.

FEEES:

of a particular officer or in connection with a particular proceeding, see the specific title.

of Membership, etc., not paid from United States funds, 81.

Military and naval insurance, unlawful, 1483xxxx.

Witnesses, military and naval insurance, 1483l.

FEET:

Maximum compensation for loss of both, 1483xx.

FELONS:

not Accepted for enlistment, 1027.

Excluded from admission to Soldiers' Home, 1516.

FEMALE NURSE CORPS. See *Nurse Corps*.

FENCES:

Destroying, on Government lands, penalty, 1314.

FIELD ARTILLERY. See *Artillery*.

FIELD ARTILLERY MATERIAL:

Issues of, to militia, 1364.

FIELD CLERKS. See *Army field clerks; Quartermaster Corps, field clerks*.

FIELD HOSPITALS:

See also *Hospitals*.

Organization of, in Hospital Corps, 768.

FIELD MUSICIANS:

at Military Academy, pay and allowances, 1166.

FIELD OFFICERS:

Coast and Geodetic Survey, designation, appointment and pay, 534m.

Detached service, eligibility for, restricted, 938½.

in Porto Rico Regiment, 345.

Vacancies due to reorganization act, 1101.

FILES. See *Accounts, Military Establishment*.

FILIPINOS:

See also *Philippine Islands*.

Appointment of four to Military Academy, 1143, 1143a.

Treatment of insane soldiers, 1527.

FIRE-CONTROL EQUIPMENT:

of Militia, transfer in time of war, 1366.

FIREMEN:

Rate of pay, 695.

FIRST CORPS CADETS, MASSACHUSETTS. See this title under *Reserve Officers' Training Corps*.

FIRST LIEUTENANTS:

See also *Officers, Army*.

Pay, 635.

Relative rank with Navy, 352.

FISCAL AGENTS:

Duties as to public moneys, 185.

FISCAL OFFICERS:

Distress warrants issued against, when, 232.

FISCAL YEAR:

begins July 1, each year, 195.

FLAG OF UNITED STATES:

to consist of 13 stripes and 48 stars, 1528.

Desecration in District of Columbia, 1529a, 1529b.

Star to be added for each State admitted, 1529.

FLAGS:

Captured, to be collected, 149.

Definition in connection with desecration, 1529b.

Desecration in District of Columbia, 1529a, 1529b.

FLIGHTS:

Signal Corps, organization of, 8901, 890j.

FLOUR. See *Food and fuel conservation*.

FOOD AND FUEL CONSERVATION:

Acceptance of service without compensation, 1681.

Agencies, use and coordination of, 1681.

Agents, interference with in performance of duties under Act, 1733.

Annual report to Congress of proceedings under Act, 1738, 1739.

APPROPRIATION—

Continuing, for other uses made necessary by act, 1735.

for Employees, printing, rent, etc., 1734.

Monthly statement of disbursements to be filed, 1736.

Persons employed under act subject to draft, 1737.

Associations. See this title, *Words defined*.

Authority, etc., conferred for, 1679.

Beans, purchase and sale of, 1705-1707.

Board of trade transactions. See this title, *Hoarding necessities*.

Clearing houses. See this title under *"Evil practices."*

COAL AND COKE—

Agency for exercising authority in connection with, 1745.

Allies at war with Germany not bound by maximum prices, 1762.

Contracts, prior, not affected by maximum prices, 1760.

Dealers, determining maximum prices, for, 1757, 1759.

Determination of value of plants taken over, method of, 1748.

Federal Trade Commission, access to books, papers, etc., of mine operators, 1756.

Federal Trade Commission, inquiry into cost of production of, 1755, 1756.

Fixing and publishing maximum prices for producers and dealers, 1757-1762.

Fixing prices of, 1745.

Maximum prices not to affect existing contracts, 1760.

Maximum prices, violation of provisions as to, 1761.

Mine operators, access by Federal Trade Commission to books, papers, etc., of, 1756.

Moneys received for sale of, disposition, 1754.

Notice to owners of purchase of output by Government, 1751.

Operation of plants by Government, 1746.

Owners to cease shipments on notice of purchase of output by Government, 1751.

Payment for purchase by Government, determination of value, 1752.

Payment of compensation to owners of plants requisitioned, 1747.

FOOD AND FUEL CONSERVATION—Con.

COAL AND COKE—Continued.

- Producers, determining maximum prices for, 1757, 1758.
- Purchase and sale by Government, regulations for, 1750.
- Purchases by United States not affected by maximum prices, 1762.
- Regulation of production, sale, etc., 1745.
- Regulations for operation of plants requisitioned, 1749.
- Regulations for purchase and sale of, by Government, 1750.
- Sales by Government, prices, 1753.
- Taking over plants on failure to conform to price regulations, 1746.
- War with Germany, purchase of, by governments at, 1762.
- Commandeering. See this title, *Requisitioning for military purposes*.

CONSPIRACY—

- Exact excessive prices for, 1685.
- Limit distribution, etc., 1685, 1701.
- Limit manufacture, etc., 1685, 1701.
- Limit transportation, etc., 1685, 1701.
- Constitutionality of Act, partial invalidity not to affect other portions, 1740.
- Contents of report to Congress, 1739.

CONTRACTS—

- Agents or employees not to be interested in, 1682.
- Recommendation of agents or employees as to, 1683.
- Corporations. See this title, *Words defined*.
- Destroying necessities. See this title, *Necessaries*.
- Destroying, holding, storing, etc., to limit supply, 1763-1765.
- Destroying, wasting, or monopolizing, 1685.

DISTILLED SPIRITS—

- Commandeering amount in bond or in stock, 1731, 1732.
- Commandeering, determination of value and payment for, 1732.
- Foods, fruits, etc., used in production for beverage purposes, 1724.
- Foods, fruits, etc., used in production for other than beverage purposes, 1725.
- Importation, prohibited, 1726.
- Manufacture of vinous or malt liquors in prohibition territory, 1730.
- Malt or vinous liquors, restrictions on use of food, etc., for, 1727.
- Notice of restrictions as to production of, 1728.
- Violation of provisions as to production, 1729.
- District attorneys, duties in libel cases, 1699.
- Distribution. See this title, *Licenses*.
- EMPLOYEES—
- See this title, *Appropriation*.

FOOD AND FUEL CONSERVATION—Con.

EMPLOYEES—Continued.

- Interference with, in performance of duties, 1733.
- Subject to military service under Draft Act, 1737.
- "EVIL PRACTICES"—
- Punishment for violation of regulations to prevent, 1717.
- Records and returns of clearing houses, etc., 1716.
- Regulations to prevent, 1714-1717.
- Scope of regulations, 1715.
- Exchange transactions. See this title, *Hoarding necessities*.
- Factories, requisitioning for common defense, 1708-1713.
- Farm and garden products, holding, storing, etc., 1764, 1765.
- Flour, purchase and sale of, 1705-1707.
- HOARDING NECESSARIES—
- See also this title, *Necessaries*.
- Board of trade transactions excepted, 1695.
- District attorney, duties in libel cases, 1699.
- Exchange transactions excepted, 1695.
- Farm and garden products, accumulating not, 1696.
- Farmers accumulating farm and garden products excepted, 1696.
- Hoarding defined, 1694.
- Jurisdiction in libel proceedings, 1697.
- Procedure in libel cases, 1698.
- Punishment for, 1693.
- Sale of seized articles, 1697.
- Seizure by libel, 1697.
- Holding or accumulating excepted, 1765.
- Holding, persons exempted, 1764, 1765.
- Holding, storing, destroying, etc., to limit supply, 1763-1765.
- Imports. See this title *Licenses*.
- Interference with officers, etc., in performing duties under act, 1733.
- Libel, seizure by. See this title *Hoarding necessities*.
- LICENSES—
- Carrying on business after revocation or suspension of, 1690.
- Carrying on business without, 1690.
- Commissions, unjust by licensee, 1688, 1689.
- Distribute, manufacture, etc., 1686.
- Import, manufacture, etc., 1686.
- Manufacture, store, etc., necessities, 1686.
- Mining, storing, etc., 1686.
- Persons excepted, 1691.
- Practices, unfair by licensee, 1688, 1689.
- President to determine just storage charges, commissions, etc., 1689.
- Profits, unjust by licensee, 1688, 1689.
- Regulations for issuance of, 1687.
- Retailers defined, 1692.
- Storage charges, unreasonable, etc., 1688, 1689.

FOOD AND FUEL CONSERVATION—Con.

LICENSES—Continued.

Storage, manufacture, etc., of necessities, 1686.

Malt or vinous liquors. See this title *Distilled spirits*.

Manufacture. See this title *Licenses*.

Meal, purchase and sale of, 1705–1707.

Mines, requisitioning for common defense, 1708–1713.

Mining. See this title *Licenses*.

Monopolizing, destroying, or wasting, 1685.

NECESSARIES—

See also this title *Hoarding necessities*.

Conspiring to limit transportation, etc., of, 1685–1701.

Destroying to enhance price, punishment, 1700.

Required for consumption exempt from requisition, 1704.

NITRATE OF SODA—

Acquisition and sale of stocks of, 1767.

Agencies as to, 1768.

Appropriation for, 1768.

Moneys received from sales of, disposition, 1769.

Regulations as to, 1768.

Officers, interference with performance of duties under act, 1733.

Oil pipe-lines, requisitioning for common defense, 1708–1713.

Packing houses, requisitioning for common defense, 1708–1713.

Partial invalidity of act not to affect other portions, 1740.

Partnerships. See this title *Words defined*.

Potatoes, purchase and sale of, 1705–1707.

President to determine just storage charges, etc., 1689.

Printing for. See this title *Appropriation*.

Procedure in libel cases, 1698.

Regulations by President for, 1680.

Rent. See this title *Appropriation*.

REPORTS—

Annual to Congress, 1738.

Contents of, 1739.

REQUISITIONING FOR MILITARY PURPOSES—

Moneys received from operation of factories, etc., disposition, 1713.

Regulations for carrying out provisions, 1712.

Value of property taken, determination, 1711.

REQUISITIONING FOR NATIONAL DEFENSE—

Coal and coke plants on failure to conform to price regulations, 1746–1749.

REQUISITIONING FOR PUBLIC DEFENSE—

Compensation for property, etc., taken, 1710.

Determination of value and payment for, 1703.

FOOD AND FUEL CONSERVATION—Con.

REQUISITIONING FOR PUBLIC DEFENSE—Continued.

Distilled spirits, determination of value and payment for, 1732.

Distilled spirits in bond or stock, 1731.

Factories, packing houses, etc., 1708–1713.

Foods, feeds, fuels, etc., 1702.

Necessaries required for consumption excepted, 1704.

Restoration of factories, etc., to owner, 1709.

Seed for cultivation of land excepted, 1704.

Retailers defined, 1692.

Seizure by libel. See this title *Hoarding necessities*.

Sherman Antitrust Act not repealed, 1766.

Storage. See this title *License*.

Storing, holding, destroying, etc., to limit supply, 1763–1765.

Storing, persons excepted, 1764, 1765.

Termination of operative effect of act not to affect offenses committed prior to, 1744.

Termination of operative effect of act not to affect rights accrued under, 1744.

Time when act ceases to be operative, 1743, 1744.

Unfair discrimination, etc., 1685.

Unjust charges, etc., 1685.

Unlawful restraints and monopolies act not repealed, 1766.

Vinous or malt liquors. See this title *Distilled spirits*.

Wasting, destroying, or monopolizing, 1685.

WHEAT—

Fixing guaranteed prices for, 1718, 1719.

Guaranteed prices, regulations in connection with, 1720.

Levy of duty on imported, 1721a.

Minimum of guaranteed price made absolute, 1721.

Moneys received from sales, disposition of, 1723.

Purchase and sale of, 1705–1707.

Purchase by United States where price has been guaranteed, 1722.

Sale of purchases made by United States, 1722, 1723.

Stimulate production of, 1718.

Words defined, 1741, 1742.

FORAGE:

no Discrimination on account of location, 557.

Furnished officers according to rank, 554.

Officers, allowance, 651a.

Officers separated from horses, 559, 560.

FOREIGN ARMIES:

Enlisted men. See this title *Officers and enlisted men*.

Mileage for officers, etc., of, serving with Aviation Section, 678b, 889yy.

FOREIGN ARMIES—Continued.

Observers on duty with, expenses, 673a.
Officers and enlisted men attached to United States Army, expenses, 673b, 889yy.

Pension claims, repatriated American citizens who served in, 1468d.

Repatriation of American citizens expatriated by enlistment in, 1468c-1468h.

Traveling expenses of officers, etc., attached to United States Army, 673b, 889yy.

FOREIGN COMMERCE:

See also *Espionage; Foreign Governments; Foreign languages; Foreign relations; Neutrality; Vessels, etc.*

Injuring vessels engaged in, punishment, 1469n.

Interference with, by violent means, punishment, 1469n.

FOREIGN COUNTRIES:

Enlistment of subjects or citizens in United States, 1468b.

FOREIGN DECORATIONS:

Acceptance by officers, wearing, etc., 1011.

Tender of, to officers, how made, 1012.

FOREIGN EXCHANGE:

Transactions in gold or silver coin or bullion, etc., 1425u.

FOREIGN GOVERNMENTS:

See also *Foreign decorations; Espionage; Foreign commerce; Foreign languages; Foreign relations; Neutrality; Vessels, etc.*

Accepting commission under, 1467.

Agent, acting as, without notice to Secretary of State, 1672.

Augmenting forces of belligerent, in United States, 1470.

Communicating national defense information to, punishment, 13174b.

Conspiracy to injure, etc., property of, in United States, 1674.

Consular officer, punishment for falsely pretending to be, 1671.

Criminal correspondence with, punishment, 1415h.

Defined, 1673.

Diplomatic officer, punishment for falsely pretending to be, 1671.

Enlisting in United States for service under, 1468, 1474.

Fitting out ships in United States for service under, 1469.

Furnishing unlawful information, etc., to, penalty, 13174-13174.

National defense information, communicating to, 13174b.

Possession or control of property or papers in aid of, 13174l.

Redress of private injuries, 1415h.

Sale of airplane war materials to, 1255a, 1255b.

Untrue statements as to foreign relations to influence, punishment, 1670.

FOREIGN INSURANCE COMPANIES:

Prohibiting or licensing to do business in United States, 1425r.

FOREIGN LANGUAGES:

See also *Espionage; Foreign commerce; Foreign Governments; Foreign relations; Neutrality, etc.*

Newspapers—

Copies of permits and revocations of, 253j.

Filing translation before mailing, 253g-253k.

Matter unlawful to be published in, 253f.

Nonmailable, when, 253h.

Permits to publish, 253i.

Punishment for making affidavit containing false statement, 253k.

Periodicals. See this title, *Publications*.

PUBLICATIONS—

Copies of permits and revocations of, 253j.

Filing translation before mailing, 253g-253k.

Matter unlawful to be published in, 253f.

Nonmailable, when, 253h.

Periodical, permits to publish, 253i.

Punishment for making affidavit containing false statement, 253k.

Under permits to bear certificate as to, 253j.

FOREIGN RELATIONS:

See also *Espionage; Foreign commerce; Foreign Governments; Foreign languages; Neutrality, etc.*

Agent of foreign Government, acting as without notice to Secretary of State, 1672.

Conspiracy to injure, etc., property of foreign Government in United States, 1674.

Foreign Government defined, 1673.

PASSPORTS—

Application for, contents, 1675.

Counterfeiting, etc., punishment, 1678.

False statements in applications for, 1676.

Fees for, 1675.

Forging, etc., punishment, 1678.

Furnishing for person other than for whom issued, 1677.

Issued for another, use of, 1677.

Obtained through false statements, use of, 1676.

Punishment for pretending to be diplomatic or consular officer, 1671.

Untrue statements, to influence foreign Governments, punishment, 1670.

FOREIGN SERVICE:

Additional pay for clerks, etc., 362, 362a, 362b.

Commencement, etc., of leaves while on, 663.

Double time not counted for retirement of officers of Philippine Scouts, 339b.

FOREIGN SERVICE—Continued.

Enlisted men, counted double time. See *Retirement, Army*.

Enlisted men, increased pay for. See *Pay of enlisted men*.

Nurse Corps, increased pay for. See *Nurse Corps*.

Officers, increased pay for. See *Pay of officers*.

FOREIGN VESSELS:

See also *Vessels*.

Compelling departure of belligerent, 1473, 1473a.

FOREIGN WAR. See War.**FOREST RESERVES:**

Rights of way over, for telegraphs, etc., 1282, 1283.

FORGERY:

Bonds, bids, public records, etc., penalty, 131.

Certificate of discharge, penalty, 131a.

FORMS:

for Accounts prescribed by the Comptroller, 200.

Public printer to furnish departments, 112.

for Returns to Returns Office, 1214.

FORT BAYARD GENERAL HOSPITAL:

Commutation of rations for patients in, 612, 611b.

FORT LEAVENWORTH, KANS.:

Transfer of military prison to, 475.

FORTIFICATIONS:

Appropriations, disposition of balances, 192.

Condemnation proceedings, sites for, 802a-802d.

Commandeering or requisitioning lands for, 802d.

Constructed by contract, after advertisement, 806.

Donation of lands for, acceptance, 802c.

Donations of sites for, acceptance, 804.

Employment of draftsmen for, 818.

Enlisted men may aid and oversee work on, 797.

Erection of temporary, in emergencies, 259, 805.

Examination of title to lands acquired as sites, 258.

Examination of title, etc., to lands for prior to possession waived, 802d.

Obtaining, communicating, etc., unlawful information concerning, penalty, 1317½-1317¾.

Officers constructing, to disburse moneys, 807.

Procurement of sites by condemnation, etc., 802.

Purchase of lands for, at agreed price, 802b.

Requisitioning or commandeering lands for, 802d.

Sites, expenditures for, restricted, 803.

Sites for, donated, acceptance, 804.

Sites for, to include sites for barracks, 803.

FORTIFICATIONS—Continued.

Trespass upon or interference with, penalty, 1315, 1315a, 1315b.

FORTS:

See also *Fortifications*.

Erection of temporary, in emergencies, 259, 805.

Examination of title to land acquired as sites, 258.

FRANKING PRIVILEGE:

See also *Mail matter*.

Extended to all officers of United States Government, 255.

FRAUD:

in Connection with claims. See *Claims*.

Obtaining payment of compensation or family allowance by, 1483jj.

Offering bribe to officer to commit, penalty, 1251.

Officers investigating, may administer oaths, 64.

FRAUDULENT ENLISTMENT:

Constitutes military offense, 1033, 54 A. W.

FREIGHT:

on Ordnance issue, not to be paid, 848.

FUEL:

See also *Forage*.

Certificate or inspection attached to voucher, 1244.

in District of Columbia, regulations, 1242-1244.

Furnished officers according to rank, 554, 555.

Inspection in District of Columbia, 1243, 1244.

Officers' allowance, 651a.

FUEL CONSERVATION:

See *Food and fuel conservation*.

FUNDS:

See also *Public moneys*.

Exchange of, restrictions upon, 401.

of Soldiers' Home. See *Soldiers' Home*.

FUNERAL EXPENSES. See Burial expenses.**FURLOUGH:**

into Army Reserve, 1031, 1031a, 1031c.

Commutation of rations of enlisted men, 611.

Extra pay in lieu of, on muster out of volunteers, 1383e, 1383j.

Medical care of officers, etc., while on, 776.

GARDENER:

in Office of Chief of Staff, 362, 362a.

GARDENS. See Military posts, gardens.**GARNISHMENT:**

Property. See *Trading with Enemy, Alien Property Custodian*.

GARRISON COURTS-MARTIAL:

See also *Articles of War; Courts-martial*. Jurisdiction restricted, 924.

GAS:

Price of, for public buildings, District of Columbia, 122a.

Proceeds of sales of, at Military Academy, 1178.

GAUGES:

Cooperation of departments, bureaus, etc., in standardizing, 1611a.

GENERAL:

Appointment for period of emergency, number, 350d.

Fuel and forage allowed, 554.

Pay, 635.

Pay and allowances, 350e.

GENERAL ARMY SERVICE DETACHMENT:

at Military Academy, 1170.

Part of Regular Army, 331a.

GENERAL COURTS-MARTIAL. See *Courts-martial; Articles of War.*

GENERAL GRANT NATIONAL PARK:

Detail of troops for protection, 1301.

Rights of way through, 1282.

GENERAL HOSPITALS. See *Hospitals.*GENERAL OFFICERS. See *Officers, Army.*

GENERAL PRISONERS:

See also *Disciplinary barracks; Military prison.*

Commutation of rations, 611b, 611c.

Restoration to duty, 488a, 488b.

GENERAL STAFF CORPS:

See also *Chief of Staff.*

Aids-de-camp not authorized, 369.

Assignments in District of Columbia, 369a, 369a $\frac{1}{2}$.

Assignments to War College, 369c.

Assignments with any branch of Army, 360c.

Assistants to Chief of Staff, two general officers, 366f.

Board on details, 365a.

Chief of Coast Artillery additional member, 370, 370a.

Chief of Militia Bureau member, 371, 1337a.

Civilian employees. See *Chief of Staff.*

Composition, 366, 366a, 366f, 367.

Composition of, during existing war, 366f.

Details in, period, 366, 366b, 366f.

Details on recommendation of board, 365a.

Duties, 368, 369b.

Duties limited to those specified, 370a, 370b.

Duties, violation, penalty, 370c.

Establishment, 365.

Expenses of observers, how paid, 673a.

Military problems, etc., study of, 369b.

Part of Regular Army, 331a.

President of Army War College, 366f.

Promotion during detail, effect, 365b.

Redetail, limitation, 366d, 366f.

Supervision of War College, 369c.

Temporary assignment to duty with any branch of army, 366c.

Tour of detail in, 366b.

Vacancies due to details to, filling, 366e, 366f.

GENERAL SUPPLY COMMITTEE:

Duties, etc., 1197.

GERMAN GOVERNMENT. See *War with Germany.*

GERMAN INSURANCE COMPANIES:

Proclamation of President relative to marine and war-risk insurance as affecting, 1425k.

GERMANY. See *War with Germany.*

GEOLOGICAL SURVEY, UNITED STATES:

Assistance in making surveys and maps, 808b.

Transportation of property for, 532.

GOETHALS, GEORGE W.:

Promoted to major general, 927b, 927e.

may Retire, on application, 927j.

Thanks of Congress tendered, 927a.

GOLD:

Coin or bullion. See *Trading with enemy, License.*

Coin or bullion in cargoes for export, report of, 1439d.

GORGAS, WILLIAM C.:

Promoted to major general, 927b, 927e.

may Retire, on application, 927j.

Thanks of Congress tendered, 927a.

GOVERNMENT:

Manufacture of arms, investigation, 1606.

Republican form, guaranteed States, 1414.

GOVERNMENT BUSINESS. See *Public business.*GOVERNMENT EMPLOYEES. See *Civilian Employees.*GOVERNMENT ESTABLISHMENT. See *Independent establishments.*

GOVERNMENT HOSPITAL FOR INSANE:

See also *Hospitals; Insane persons.*

Admission of insane of Army, 1524, 1525.

Admission of interned persons to, 1525a.

Admission of prisoners of war to, 1525a.

Appropriation. See this title *Transfer of part of appropriation.*

Establishment of, in District of Columbia, 1524.

Jurisdiction of superintendents of public hospitals over patients transferred to, 1526c.

Transfer from military hospital to public hospital, 1526b, 1526c.

Transfer of part of appropriation for, to public hospitals, 1526d.

Transfer to public hospitals patients entitled to treatment in, 1526a.

Use of Anacostia Flats by, 1524a.

GOVERNMENT PLANTS:

See also *Munition Plants.*

Sales of surplus products, 521, 521a, 521b.

GOVERNMENT PRINTING OFFICE:

Details of employees from, restricted, 33.

GOVERNMENT PUBLICATIONS:

Depositories of, designated, 125. 125a.

GOVERNMENT SEAL. See *Seal of United States.*

GRADUATES:

of Army schools for bakers and cooks, 1188.

of Military Academy. See *Military Academy*.

GRAND ARMY OF THE REPUBLIC:

Loans of tents to, authorized, 1259b.

Loans or gifts of condemned ordnance, etc., 849.

Unlawfully wearing badge of, penalty, 1025.

GRANDCHILD:

Age limit as to allotments, family allowances, etc., exception, 1483v.

Defined as to allotments, family allowances, compensation, and insurance, 1483u.

Family allowances. See *Family allowances*.

GRATUITOUS ISSUES:

of Clothing. See *Clothing, Army*.

of Ordnance. See *Ordnance*.

GRATUITY:

Beneficiary to receive, to be designated, 1061, 1062.

Provision for, superseded by compensation law, 1483www.

GUAM:

Merchandise for, by Army transports, 530.

Passengers to, by Army transports, 528.

GUANO ISLANDS:

Protection of rights of discoverer, 1479.

GUARD: See *Prison guard*.**GUN BATTERY.** See *Artillery; Field Artillery*.**GUN CARRIAGES:**

Appropriation for tests of, 878.

GUN COMMANDERS:

Additional pay for qualifying, 699, 699a.

Authorized number of, not to be increased, 700.

GUN FACTORIES:

See *Armories and Arsenal*s.

GUN FIRE:

Claims for damages caused by, 162, 162a.

GUN POINTERS:

Additional pay for qualifying, 699, 699a.

Authorized number, not to be increased, 700.

GUNNERS:

Expert first-class, Field Artillery, pay for qualifying, 699a.

First and second class, pay for qualifying, 699, 699a.

Master, rate of pay, 695.

GUNS. See *Cannon*.**HABEAS CORPUS:**

Application for writ, 269.

Conditions under which writ may issue, 268.

Directed to one in possession of body, 270.

Disposition of party on summary hearing, 275.

In Hawaii, suspension of, 1478.

HABEAS CORPUS—Continued.

Hearing within five days after return of writ, 274.

Issue of writ, allowance and direction, 270.

Issue of writ, courts empowered, 266.

Issue of writ, powers of Federal judges, 267.

Prisoner in jail, 268.

Return, form prescribed, 272.

Return, production of body, 273.

Return, time prescribed, 271.

Summary hearing, 275.

Suspension of writ, 276.

HAMMOND, JOHN HAYS, JR.:

Purchase of inventions of radiodynamic torpedo control, 1612.

HANDS:

Maximum compensation for loss of both, 1483xx.

HARBOR DEFENSES:

Plans for improving, for fleet operations, for 98a.

Trespass upon, penalty, 1315, 1315a.

HARBOR WORKS. See *River and harbor works*.**HAWAII:**

Assignment of pay of surgeons in, 740.

Employment of military forces in, 1478.

Enlisted men, service in. See *Pay of enlisted men; Retirement, Army*.

Habeas corpus, governor may suspend, 1478.

Leases of lands in, for military purposes, 1292.

Militia, election of officers, law not to apply, 1376.

Militia laws of United States to apply, 1376.

National Guard laws applicable to, 1321a.

Nurse Corps, no additional pay for duty in, 771.

Posse comitatus, governor may summon, 1478.

HAZING:

at Military Academy. See *Military Academy*.

HEADQUARTERS:

Army field clerks. See *Army field clerks*.

Detail of clerks to War Department, forbidden, 31, 362b.

Employees, classification and pay, 362, 362a, 362b.

Employees, employed and assigned by Secretary of War, 362d.

Establishment, Secretary of War to direct, 364.

Signal Corps divisions, brigades, etc., 890j.

HEADQUARTERS COMPANY:**FIELD ARTILLERY—**

Increase, 1091b.

Three battalion regiment, 1091d.

Two battalion regiment, 1091c.

Infantry, 1097a.

HEADQUARTERS DETACHMENT:

Signal Corps, 890j.

HEADQUARTERS TROOP:

Cavalry, organization, 1074b.

HEADS:

of Bureaus. See *Executive departments; Bureaus.*

of Departments. See *Executive departments.*

HEALTH LAWS:

State, to be observed by United States officers, 1462.

HEAT AND LIGHT:

See also *Fuel.*

Commutation of, 668c.

Furnished officers, limitations upon, 556.

HIGH SCHOOLS. See *Washington high schools.***HIGH SEAS:**

Jurisdiction over offenses or seizures on, 300, 301.

Property captured on, condemnation, 302.

HIGHWAYS:

Right of way for, over public lands, 1283a.

HODGES, H. F.:

Promoted to brigadier general, 927b, 927e. may Retire, on application, 927j.

Thanks of Congress tendered, 927a.

HOLIDAYS:

Annual leaves of employees not to include, 52.

Armories and arsenals, annual leave of in District of Columbia, days constituting, 53.

Labor Day made legal holiday, 56.

Per diem employees to receive pay, 54, 55. employees not affected by, 857h.

HOME GUARDS:

Arms and ammunition for equipment, 1361e.

Use of rifle ranges extended to, 1361f.

HOMES FOR DISABLED VOLUNTEER SOLDIERS. See *National Home for Disabled Volunteer Soldiers.***HOMESTEADS:**

Acquired by soldier, how, 1270.

Affidavits of persons in armed forces as to, 1272i.

Contests on ground of abandonment prohibited, 1272b.

Deduction for military service, 1271.

Entry by agent of soldier, 1273.

Military service equivalent to residence, 1272, 1272a, 1272b.

Patent, residence for one year, etc., condition precedent to, 1272c.

Widow or children entitled to patent, 1271, 1272d.

HONORABLE DISCHARGE. See *Discharge.***HONORABLE SERVICE ROLL:**

Establishment of, forbidden, 38.

HONOR GRADUATES OF COLLEGES:

Appointment, cadets at large, 1139a.

Appointment, second lieutenants, 331d.

HORSES:

Allowance to Indian scouts who furnish, 334, 696.

Allowance to regimental quartermasters, 554.

Appropriations for, restrictions upon use, 541.

Condemned, 217e.

Condemned, issue to militia, 1364c.

for Field Artillery, militia, number and care, 1364a.

Furnished officers below major, 637.

Issues to militia, 1364b, 1364c.

Lost by capture, payment for, 217d.

Lost by minor in military service, 217f.

Lost in battle, payment to officers for, 217b.

Lost in military service, 217c.

Open-market purchases of, 541, 542.

Polo ponies for Military Academy, 542.

Purchase, after advertisement, 539, 540.

Purchase, for issue to militia, 1364b.

Purchase, from officers ordered abroad, 558.

Purchase, limitation upon, 537, 538.

Purchase of, and mules after advertisement, 1235.

Purchase, regulations for, 541, 542.

Purchase, transportation from place of, 561.

Sale of, in Indian country. See *Indian country.*

Sale, not required for Regular Army, etc., 538a.

Shelter and shoeing of officers', 559, 560.

Transfer to National Guard organizations, 1364o.

Transportation of authorized number, 561.

Transportation, excess over authorized, 527.

HORSESHOER:

Designated, 703.

Medical Department, percentage, 766e.

Pay, 695a.

Pay, additional as, 698.

Signal Corps, percentage, 890a.

HORSE SHOWS:

Expenses incident to, restrictions upon, 543.

Officers, etc., may be directed to attend, 543.

HOSPITAL ATTENDANTS:

Gratuitous issue of clothing to, 572.

HOSPITAL CORPS:

See also *Medical Department; Enlisted men.*

Acting cooks, pay, 695.

Ambulance companies, organization, 768.

Companies of instruction, organization, 768.

Composition, 756, 757.

Comprises part of Medical Department, 728.

Detachments, organization, 768.

Enlisted men, pay, 763-765.

HOSPITAL CORPS—Continued.

- Enlisted men, transfers to, from Army, 766, 1037.
- Enlisted men transferred to Medical Department, 756b.
- Field hospitals, organization, 768.
- Hospitals. See *Hospitals*.
- Noncommissioned officers, rank and pay, 763-765.
- Nurse Corps. See *Nurse Corps*.
- Organization, 756, 757.
- Privates, detail as acting stewards, 767.
- Privates, number and duties, 766.
- Privates, rate of pay, 698.
- Sergeants, first class, pay, 695.
- Stewards. See *Hospital stewards*.
- HOSPITAL MATRONS:**
 - Employment of, authorized, 773.
 - Entitled to one ration daily, 598.
 - Pay and allowances, 774.
- HOSPITALS:**
 - See also *Hospital Corps; Government Hospitals for Insane*.
 - Command of, by contract surgeons, 739.
 - Command of, by volunteer officers, 1393.
 - Commutation of rations for patients, 611b, 611c, 612.
 - Injured Federal employees entitled to reasonable service in, 661.
 - Limit of cost of buildings not authorized by Congress, 547b.
 - Matrons. See *Hospital matrons*.
 - Military, transfer of insane from, to public, 1526b, 1526c.
 - Nurses. See *Nurse Corps*.
 - Panama Canal, care of officers and enlisted men, 776a, 776b.
 - Private treatment of Army personnel in, 776, 776a, 776b, 776d.
 - Private treatment of prisoners of war, etc., in, 776d.
 - Public jurisdiction of superintendents over patients transferred to, 1525c.
 - Public, transfer of part of appropriation for Government Hospital for Insane to, 1526d.
 - Public, transfer of patients to, entitled to treatment in Government Hospital for Insane, 1525a, 1526c.
 - Sale of supplies, 775f.
 - Services and supplies furnished by Director of War-Risk Insurance, 1483bbb.
 - Stewards. See *Hospital stewards*.
 - Supplies for sick in, what to include, 775.
 - Temporary, public lands, 889rr.
- HOSPITAL SERGEANT:**
 - Pay, 695a.
 - Percentage, 766d.
- HOSPITAL STEWARDS:**
 - Acting, eligible for appointment, 767.
 - Appointment, examinations for, 760.
 - Appointment and number, 758, 759.
 - Appointment, qualifications for, 761.
 - Quarters for, constructed by contract, 550.
 - Quarters for, constructed at posts designated, 762.
 - Quarters, Secretary of War to locate, 550.

HOTEL:

- at Military Academy, disposition of receipts, 1178.

HOURS OF LABOR:

- in Executive departments. See *Executive departments*.
- for Laborers, etc. See *Laborers*.

HOUSE OF REPRESENTATIVES. See *Congress*.**HOUSES OF ILL FAME:**

- Punishment for violation of regulations, 1295f.
- Suppression of, near military camps, etc., 1295e, 1295f.

HOWITZER BATTERY. See *Artillery; Field Artillery*.**HYGIENIC LABORATORY:**

- Surgeon General member advisory board, 781.

ICE:

- for Enlisted men, where directed, 594.
- Sale of surplus, 521, 521a, 521b.

ILLEGITIMATE CHILD. See *Allotments of pay; Family allowances*.**ILLUSTRATIONS:**

- Restrictions on number printed, 116.

IMPORT:

- Food and Fuel. See *Food and fuel conservation, License*.

IMPRESSMENT FOR MILITARY PURPOSES:

- See *Commandeering for military purposes; Requisitioning for military purposes*.

IMPRISONMENT:

- Family allowances of enlisted men in, 712k.

INCAPACITATED PERSONS:

- as Employees, payments to, forbidden, 39.

INCREMENTS:

- See also this title under *Army*.
- Increase in corps of cadets by, 1139c.

ORDNANCE DEPARTMENT—

- Immediate increase authorized, 809b.

INDEBTED TO UNITED STATES:

- Compensation not paid one, 693.

INDEPENDENT ESTABLISHMENTS:

- Transfer of employees of executive departments to, 36a-36d.

INDIAN AGENTS:

- Compensation for extra services, 1398.
- Compensation for subagent, 1398.
- Detail of Army officer as, 1396, 1397.
- Issue of goods and money to Indians, 1399.
- Sale by, of live stock, 1401.
- Secretary of Interior to control, 940, 1397.

INDIAN CAMPAIGNS. See *Indian wars*.**INDIAN COUNTRY:**

- See also *Indian agents; Indian scouts; Indians*.

ARRESTS—

- of Indians by military force, 1412.
- of Persons unlawfully in, etc., 1410.

INDIAN COUNTRY—Continued.

Distilleries. See this title, *Intoxicating liquors*.

EMPLOYMENT OF MILITARY FORCE—

In Apprehension of persons unlawfully in, 1410.

In Arrest of Indians charged with crime, 1412.

Limit of period of detention of persons, 1411.

In Preventing, etc., hostilities between tribes, 1412.

In Removal of persons unlawfully in, 1409.

In Removal of unauthorized settler, 1400.

INTOXICATING LIQUORS—

Distilleries for making, setting up, penalty, 1407.

Found concealed in, disposition, 1406.

Introducing, prohibited, penalty, 1403, 1404.

Introduction may be authorized, 1403, 1404.

Prosecution of Army personnel for introducing, 1408.

Search for concealed, to be instituted, 1406.

Wines for sacramental purposes, 1405.

PROHIBITED ACTS—

See also this title, *Intoxicating liquors*.

Cutting, etc., trees, 1311.

Removing live stock without authority, 1402.

Settling upon, making survey, 1400.

INDIAN EDUCATION:

Detail of army officers in connection with, 942a, 942b.

Use of military posts or barracks for, 942b.

INDIAN RESERVATIONS. See *Indian country*.

INDIANS:

See also *Indian country*.

Arrest of, by military force, 1412.

Issuance of rations to, may be authorized, 599.

Issues of goods and money to, 1399.

Permits to enter Texas, limitation, 1413

Permits to enter Texas, limitation, repealed, 1413a.

Purchases from, in open market, 1240.

Sale, etc., of liquors to. See *Indian country*.

Sale of live stock for, 1401.

INDIAN SCOUTS:

See also *Indian country*.

Enlistment in Regular Army, 334.

Furnishing horses, etc., additional pay, 334, 696.

National defense act, effect on, 1106a.

Part of Regular Army, 331a.

Pay and organization, 696.

Restrictions upon purchase of horses, 539, 540.

INDIAN TRIBES:

Preventing, etc., hostilities between, 1412.

INDIAN WARS:

Persons who served in, entitled to benefits of National Home for Disabled Volunteer Soldiers, 1502b.

Records of, disposition, 441.

INDORSEE. See *Trading with enemy*.

INDUSTRIAL TRAINING SCHOOLS FOR INDIANS. See *Indian Education*.

INDUSTRIES:

Essential to preparedness, mobilization of, 1605.

INFANTRY:

Assistant band leader, pay, 695a.

Band leader, pay, 695a.

Bands, composition and organization, 1099.

Battalion, organization, 1095b.

Brigade, additional machine-gun companies, 356d.

Brigade, composition, 356a, 356d.

Cavalry, provisional organization of regiments as, 1071b, 1071c.

Chaplains for each regiment, 902.

Colonel, Porto Rico Infantry, detail, 345a.

Colonels, additional, 929i.

Colored, two regiments authorized, 1096.

Companies, composition, etc., 1097, 1098, 1095b, 1097a-1097c.

Companies, increase, 1098a.

Details on regimental staffs, officers available, 1100.

Division, composition, 356a.

Enlisted men for companies, additional, 1098a.

Headquarters company, composition, 1097a.

Horseshoer, pay, 695a.

Machine-gun company, composition, 1097b.

Mechanic, pay, 695a.

Mess sergeant, pay, 695a.

Musician, pay, 695a.

OFFICERS—

Assignment to organizations, 1097d.

Limitation on number, appointment of increased, 331b $\frac{1}{2}$.

Private, first class, pay, 695a.

Provisional organizations of Cavalry regiments as, 1071b, 1071c.

Regimental supply sergeant, pay, 695a.

REGIMENTS—

Composition, 1095, 1095a.

Designation of, for vocational training, 1293d-1293g.

Number, 331a.

Reorganization act, vacancies due to, 1101-1103.

Saddler, pay, 695a.

Sergeant bugler, pay, 695a.

Sergeants, additional details, 1332a.

Stable sergeant, pay, 695a.

Supply company, composition, 1097e.

Supply sergeant, pay, 695a.

INFANTRY—Continued.

Volunteer, medical personnel, 1385.

Wagoner, pay, 695a.

INJUNCTIONS:

by Persons aggrieved by distress warrants, 234, 235.

INJURED SOLDIERS:

Permanent, vocational training, etc., for, 12931, 12931.

INJURIES:

Include disease as to compensation, insurance, etc., 1483cc.

INJURIES TO SOLDIERS. See Compensation for injuries.**INJURIES TO GOVERNMENT EMPLOYEES:**

See also *Laborers*.

Affidavits supporting claims, penalty for making false, 66fff.

ALASKA ENGINEERING COMMISSION—

Administration of act as to employees of Alaska Railroad, transferred to, 66kkk.

Authorized to advance funds of Alaska Railroad for payment of compensation, etc., 66lll.

ALASKA RAILROAD—

Alaska Engineering Commission may advance funds for compensation of its employees, 66lll.

Alien employees, Panama Canal & Railroad Co., payments to, 66lll.

Allowances if death results, 66j.

Annual estimates, commission to submit, 66xx.

Annual estimates for compensation fund, 66bbb.

Annual leave, compensation may begin at expiration of, 66h.

Annual report to Congress, 66zz.

Appropriation for compensation fund, 66bbb.

Appropriation for expenses of commission, fiscal year 1917, 66aaa.

Appropriation, permanent, for compensation fund, 66bbb.

Assignment of claim for compensation void, 66mm.

Assignment to United States of claim for injury by other persons, 66nn.

Assignment to United States of claim for injury by other persons, penalty for refusal to make, 66oo.

Assignment to United States of claim for injury by other persons, disposition of money received in settlement, 66pp.

Transfer of administration of act as to employees of to Alaska Engineering Commission, 66kkk.

AWARDS—

Committee to make finding of facts and, on claims presented, 66ccc.

Made under mistake of law or fact, cancellation of, 66eee.

INJURIES TO GOVERNMENT EMPLOYEES—Continued.**AWARDS—Continued.**

Payment of, from compensation fund, 66ccc.

Review of, by commission, 66ddd.

Burial expenses allowed, 66y.

CLAIMS—

Assigned to United States, disposition of money received in settlement, 66pp.

Assignment of, void, 66mm.

Delivery of, to commission, 66ff.

Disposition of money received by beneficiary for injuries by other persons, 66qq, 66rr, 66ss.

for Injuries caused by other persons, assignment to United States, 66nn.

for Injuries caused by other persons, assigned to United States, disposition of money received in settlement, 66pp.

for Injuries caused by other persons, assignment to United States, penalty for refusal, 66oo.

for Injuries occurring prior to act, settlement under old law, 66iii.

Must be filed, 66ff.

Must be made on prescribed forms, 66gg.

Penalty for false affidavit, etc., supporting, 66fff.

Presented, commission to make finding of facts and award on, 66ccc.

Time limit for making original, 66hh.

Waiving applications by employees of Panama Canal, 66lll.

Waiving applications by employees of Panama Railroad Co., 66lll.

COMPENSATION—

Advancement of funds by governor of Panama Canal, 66lll.

Alaska Engineering Commission authorized to advance funds, 66lll.

Assignment of claims void, 66mm.

Assignment to United States of claims for injury by other persons, 66nn.

Claims must be filed, 66ff.

Claims to be made on prescribed forms, 66gg.

Days excluded in paying, 66b.

Delivery of claim to commission, 66ff.

Injuries occurring prior to act, settlement under old law, 66iii.

May begin at expiration of annual leave, 66h.

May begin at expiration of sick leave, 66h.

Medical examinations, fees, 66kk.

Medical examination of employees receiving, 66li.

Medical examination, reexamination if physicians disagree, 66jj.

Method of paying when liability exists in Panama Railroad Co., 66jjj.

Other salary or pay, restricted, 66g.

INJURIES TO GOVERNMENT EMPLOYEES—Continued.

COMPENSATION—Continued.

Paid under mistake of law or fact, recovery of, 66eee.

Partial disability, 66d.

Partial disability, decrease for old age, 66f.

Partial disability, maximum, 66f.

Partial disability, minimum, 66f.

Partial disability, minors and learners, 66f.

Partial disability, refusal to perform suitable work, 66e.

Pension for Army or Navy service not affected by, 66g.

Suspension of pay on refusal to submit to medical examination, 66ii.

Time limit for making claims, 66hh.

Total disability, 66c.

Total disability, decrease for old age, 66f.

Total disability, maximum, 66f.

Total disability, minimum, 66f.

Total disability, minors and learners, 66f.

COMPENSATION FUND—

Annual estimates, 66bbb.

Appropriation, permanent, 66bbb.

Created, 66bbb.

Payment of awards, 66ccc.

Computing employees' monthly pay, method of, 66z.

Congress, annual report to, 66zz.

Construction of terms used in act, 66ggg.

Damages received by employees for injuries from other persons, disposition of, 66qq, 66rr, 66ss.

Damages received by employees for injuries from other persons, refund of compensation, 66ss.

Days excluded in paying compensation, 66b.

DEATH—

Burial expenses allowed, 66y.

Caused by misconduct or intoxication, 66a.

Lump-sum commutation to beneficiary, 66bb.

Lump-sum commutation to beneficiary, method of computing, 66bb.

Transportation of remains, 66y.

Definition of terms used in act, 66ggg.

EMPLOYEES' COMPENSATION COMMISSION—

Annual estimates, 66xx.

Annual estimates for compensation fund, 66bbb.

Annual report to Congress, 66zz.

Appointment, 66tt.

Appropriation for expenses of, fiscal year 1917, 66aaa.

Assistants, clerks, etc., 66ww.

Authority to administer oaths, etc., 66vv.

Authority to issue process, etc., 66vv.

Civil-service appointees under, 66ww.

INJURIES TO GOVERNMENT EMPLOYEES—Continued.

EMPLOYEES' COMPENSATION COMMISSION—Continued.

Claims, pending, jurisdiction over, 66uu.

Clerks, assistants, etc., 66ww.

Clerks, transfer of certain to, 66uu.

Composition of, 66tt.

Decide all questions, 66yy.

General authority conferred on, 66vv.

Jurisdiction over pending claims, 66uu.

Make finding of fact and award, 66ccc.

Oaths, authority to administer, 66vv.

Office force, etc., 66ww.

Office, location, 66tt.

Process, authority to issue, etc., 66vv.

Review of awards, 66ddd.

Rules and regulations prescribed by, 66yy.

Salary, 66tt.

Terms, 66tt.

Transfer of certain clerks to, 66uu.

Estimates, annual, commission to submit, 66xx.

Estimates, annual, for compensation fund, 66bbb.

Finding of facts and award, 66ccc.

Forms, claims to be made on prescribed, 66gg.

Hospital service, employees entitled to reasonable, 66i.

Injury involving claim against other persons, 66nn.

Injury involving claim against other persons, assignment of, to United States, 66nn, 66oo, 66pp.

Injury occurring prior to act, settlement under old law, 66iii.

Intoxication, proximate cause, 66a.

Laborers. See also *Laborers*.

Lump-sum commutations in case of death or permanent disability, 66bb.

Lump-sum commutations in case of death or permanent disability, method of computing, 66bb.

MEDICAL EXAMINATION—

Employees receiving compensation, 66ii.

Fees, 66kk.

Reexamination if physicians disagree, 66jj.

Suspension of pay on refusal to submit, 66ii.

Medical service, employees to receive reasonable, 66i.

Misconduct, wilful cause, 66a.

Mistake of law or fact, cancellation of award made under, 66eee.

Mistake of law or fact, recovery of compensation paid under, 66eee.

Money received by beneficiary as damage for injuries by other persons, disposition of, 66qq, 66rr, 66ss.

Money received by beneficiary as damage for injuries by other persons, refund of, 66ss.

INJURIES TO GOVERNMENT EMPLOYEES—Continued.

Money received in settlement of claims assigned to United States for injuries by other persons, disposition of, 66pp.
Monthly pay, 66z.

NOTICE OF INJURY—

Particulars required, 66dd.
Payment withheld on failure to give, exceptions, 66dd.
Written, 66cc.
Overtime pay not counted in computing monthly pay, 66z.

PANAMA CANAL—

Allen employees, payments, 66lll.
Governor of, authorized to advance funds, 66lll.
Transfer of administration of act as to employees to governor, 66kkk.
Waiving claim authorized, 66lll.

PANAMA RAILROAD COMPANY—

Allen employees, payments, 66lll.
Compensation for injuries where liability exists, 66jjj.
Transfer of administration of act to governor of Panama Canal, 66kkk.
Waiving claim authorized, 66lll.

PARTIAL DISABILITY—

Affidavit as to earning capacity, 66d.
Compensation, 66d.
Compensation, decrease for old age, 66f.
Lump-sum commutation in case of permanent, 66bb.
Lump-sum commutation in case of permanent, method of determining, 66bb.
Maximum compensation, 66f.
Method of determining wage-earning capacity, 66aa.
Minimum compensation, 66f.
Minors and learners, 66f.
Refusal to make affidavit as to earning capacity, 66d.
Refusal to perform suitable work, 66e.

PAY TO BENEFICIARIES—

Adopted and adoption, defined, 66tt.
Apportionment to two or more classes, modification of, 66v.
Brother, defined, 66t.
Child, defined, 66t.
Children, termination of, 66n.
Child with other guardian, 66m.
Children without living parents, 66n.
Compensation to remaining persons, 66u.
Dependent brothers in absence of widow, etc., 66q.
Dependent brother where widow, etc., 66r.
Dependent grandchildren in absence of widow, etc., 66q.
Dependent grandchildren where widow, etc., 66r.
Dependent grandparents in absence of widow, etc., 66q.

INJURIES TO GOVERNMENT EMPLOYEES—Continued.

PAY TO BENEFICIARIES—Continued.

Dependent grandparents where widow, etc., 66r.
Dependent parents in absence of widow, etc., 66o.
Dependent parents where widow, etc., 66p.
Dependent sisters in absence of widow, etc., 66q.
Dependent sisters where widow, etc., 66r.
Duration of compensation under clauses E and F, 66s.
Grandchild, defined, 66t.
Lump-sum commutations, 66bb.
Lump-sum commutations, method of computing, 66bb.
Marriage, penalty for receiving after, 66x.
Modification of apportionment to two or more classes, 66v.
Monthly pay construed, 66w.
Parent and children, 66n.
Parent defined, 66t.
Penalty for receiving pay after marriage, 66x.
Sister defined, 66t.
Termination of, under clauses E and F, 66s.
Widow, 66k.
Widow defined, 66t.
Widower defined, 66t.
Widower, dependent, 66l.
Penalty for making false affidavit in support of claim, 66ff.
Permanent appropriations for compensation fund, 66bbb.
Questions arising, to be decided by commission, 66yy.
Repealing clause, 66hhh.
Report, annual, to Congress, 66zz.
Review of awards by commission, 66ddd.
Review to determine increase or decrease of wage-earning capacity, 66f.
Rules and regulations to be prescribed by commission, 66yy.
Sick leave, compensation may begin at expiration of, 66h.
Surgical services, employees to receive reasonable, 66i.
Superior officer to report injury, 66ll.
Termination of pay to child, 66m.
Terms used in act, construction of, 66ggg.
Time limit for making original claim, 66hh.
TOTAL DISABILITY—
Compensation for, 66c.
Compensation, decrease for old age, 66f.
Compensation, minors and learners, 66f.
Lump-sum commutation in case of permanent, 66bb.
Lump-sum commutation in case of permanent, method of computing, 66bb.

INJURIES TO GOVERNMENT EMPLOYEES—Continued.

TOTAL DISABILITY—Continued.

Maximum compensation, 66f.

Minimum compensation, 66f.

Transportation of remains in case of death, 66y.

Transportation for treatment, 66i.

Wage-earning capacity, partial disability, 66aa.

Waiving claim applications by employees of Panama Canal, 66ill.

Waiving claim applications by employees of Panama Railroad, 66ill.

Written notice of injury, 66cc.

Written notice of injury, particulars, 66dd.

Written notice of injury, payments withheld on failure to give, exceptions, 66ee.

INSANE PERSONS:

See also *Government Hospital for Insane; Hospitals*.

California Asylum for, 1526.

Filipino soldiers, treatment of, 1527.

Government asylum for. See *Government Hospital for Insane*.

Interned persons, care of, 1425a.

Prisoners of war, care of, 1425a.

INSIGNIA:

See also *Badges; Medals of honor*.

Wearing unlawfully, penalty, 1025.

Worn in lieu of medals of honor, 1014.

INSPECTIONS:

of an officer or establishment, see the specific title; see also *Inspector General's Department*.of Accounts. See *Accounting of public money*.of Fuel. See *Fuel*.of Militia. See *Militia*.

Mileage of officers on, restricted, 688.

INSPECTOR GENERAL. See also *Inspector General's Department*.

Rank, pay, and allowances, 373a, 459a.

INSPECTOR GENERAL'S DEPARTMENT:

ASSISTANT INSPECTOR GENERAL—

Acting, detail, 459b.

Assistant adjutants general may act, 437.

Composition, 459, 459a.

Detail of line officers as, 459b.

EXPERT ACCOUNTANT—

Actual expenses only for sea travel, 682.

Authorized, 460.

Entitled to mileage allowed officers, 631, 682.

INSPECTIONS BY—

of Disbursing officers' account, 412, 461.

of Military prison accounts, 479.

Reported to Congress, 413, 462.

of Soldiers' Home, 464.

of Volunteer Soldiers' Homes, 463, 4634.

INSPECTOR GENERAL'S DEPARTMENT—Continued.

OFFICERS—

Part of Regular Army, 331a.

Promoted according to seniority, 459.

Vacancies, how filled, 459, 936.

INSPECTORS:

of Fuel, District of Columbia, 1243.

of Small arms practice, militia, 1357.

INSPECTORS OF SMALL-ARMS PRACTICE. See *National Guard, Inspectors of small-arms practice*.

INSTRUCTION CAMPS:

See also *Citizens' training camp; National Guard, training; Reserve Officers' Training Corps*.

Civilians to wear uniform, 1010b.

Issue of stores to educational institutions for, 954c.

INSTRUCTORS:

at Military Academy. See *Military Academy*.

at Rifle ranges, 553c.

School cadets entitled to wear uniform, at Service schools, leaves of absence, 1187.

1010b-1010d.

INSUBORDINATION:

Causing, punishment, 13174d.

INSULAR AFFAIRS, BUREAU OF:

Assistant to chief, detail of, 157-159, 384, 155a.

Chief, appointment of, 156, 155a.

Chief, rank, pay, etc., 155, 155a, 156, 373a.

Details with, detached service law, 9384.

Division of Insular Affairs, continued, 155, 155a.

Officers, part of Regular Army, 331a.

Scope of business of, 155, 155a.

INSURANCE:

See also *Military and Naval Insurance*.

Bureau of War Risk, to furnish information as to contracts, etc., 1483gg.

Held by officers and enlisted men, record of, 1483hh.

INSURANCE COMPANIES:

Alien enemy. See *Trading with Enemy, License*.

INSURRECTION:

CAPTURED OR ABANDONED PROPERTY—

Trading in, by persons in military service, 1432.

COMMERCIAL INTERCOURSE—

Aliens included in prohibition against, 1422.

Fraud, investigations to detect, 1426, in Loyal sections controlled by insurgents, 1421.

May be licensed to certain extent, 1423, 1424.

Offenses against restrictions, penalty, 1425.

Prohibitions, extent of, 1422.

Transportation of suspected goods forbidden, 1431.

INSURRECTION—Continued.**CONFISCATION OF PROPERTY—**

Condemnation proceedings, where had, 1428.

Condemnation proceedings, who may institute, 1430.

Goods coming from hostile sections, 1420.

on Inland waters, not maritime prize, 1429.

Inciting, etc., punishment, 1415g.

Proceeds, disposition of, 1430.

Transported against orders, 1431.

Used in aiding insurrection, 1427.

Customs duties, 1433-1436.

PORT OF ENTRY—

Change of, by President, 1433-1436.

Closing authorized, 1436.

Proclamation to disperse, 1419.

in States. See *States*.

STATES IN INSURRECTION—

Declaration of President, 1420.

SUPPRESSION—

Military forces may be used, 1417, 1418.

Militia may be called, 1415, 1417, 1418.

VESSELS—

Attempt to enter closed port, forfeiture, 1436.

Clearance, bond for specified delivery, 1440.

Clearance, refused, when, 1439.

Confiscated, when, 1420.

Employment of, collecting revenue, 1437.

of Insurgents, when forfeited, 1438.

Seized, condemnation proceedings, 303.

INTEREST:

on Claims, not until after judgment, 290.

on Deposits by enlisted men, 717.

INTERIOR DEPARTMENT:

Contracts filed in Returns Office, 1211.

Extension of time for filing contract in Returns office, 1211d.

Records of Indian wars transferred from, 441.

INTERNEED PERSONS:

Admission to Government Hospital for Insane, 1525a.

Armed forces of belligerents, punishment for leaving jurisdiction, 1469u.

Medical treatment, etc., 776d.

INTERPRETERS:

Auditing accounts abroad, number and compensation, 205h.

INTERSTATE COMMERCE. See *Common carriers; Transportation*.**INTOXICATING LIQUORS:**

Distilled spirits. See *Food and fuel conservation*.

Food or fruits used in making. See *Food and fuel conservation, distilled spirits*. Punishment for unlawful sale of, 1295d. Regulating sale, etc., in or near military camps, 1295a.

INTOXICATING LIQUORS—Continued.

Regulating sale to officers and enlisted men, 1295a-1295d.

Sale, at Army posts, etc., prohibited, 1295.

Sale at military station, camp, fort, etc., prohibited, 1295b.

Sale, etc., to Indians. See *Indian country*.

Sale to officers or enlisted men in uniform, 1295c.

Sale, within 1 mile of Soldiers' Home, forbidden, 1523.

INVASION:

Militia may be called forth to repel, 1339, 1340.

INVENTIONS:

See also *Patents*.

Abandoned, when, 1425qq, 1616b.

Basic patents for manufacture or development of aircraft, 889ff-889hh.

Expenditure of public money upon, restricted, 876.

Important to defense, 1616.

Keeping secret and withholding grant of patents therefor, 1425pp, 1616a.

Patentable, expenditures at armories, 865.

Patents, withholding, 1425pp, 1616a.

Radiodynamic torpedo control, 1612-1615.

Suits upon, jurisdiction of Court of Claims, 299.

Tendered to United States, compensation for use of, 1425rr, 1616c.

INVESTIGATORS. See *Trading with enemy, Alien Property Custodian*.

IRON AND STEEL, BOARD FOR TESTING. See *Ordinance Department*.

ISTHMIAN CANAL. See *Panama Canal*.

JOINT COMMITTEE ON PRINTING:

Continuance of, vacancies, and powers during recess, 114a.

JUDGE ADVOCATE GENERAL:

See also *Judge Advocate General's Department*.

Duties, 471.

Rank, pay, and allowances, 373a, 465a.

JUDGE ADVOCATE GENERAL'S DEPARTMENT:

Acting judge advocates, detail, 469, 469a.

Acting judge advocates, duties, 469a.

Acting judge advocates, excepted from Manchu law, 469b.

Composition, 465, 465a.

Details not covered by detached-service law, 384, 469b, 937.

Examination for promotion, 467a.

Examination for promotion of lieutenant colonels, 467c.

Examination for promotion of majors, 467b.

Judge Advocate General, duties, 471.

Judge advocates. See *Judge advocates*.

Law students, detail forbidden, 469b.

Military laws, revision and codification, 471a, 471b.

JUDGE ADVOCATE GENERAL'S DEPARTMENT—Continued.

Military prison. See *Military prison*.

Number of majors increased, 466.

Part of Regular Army, 331a.

Promotions, how made, 467, 467a.

Vacancies in, method of filling, 468.

Vacancy, one, for appointment from civil life, 468a.

JUDGE ADVOCATES:

See also *Articles of War*; *Courts-martial*; *Judge Advocate General's Department*.

to Administer oaths, for certain purposes, 473, 114 A. W.

Appointment, qualifications, 468.

Assignment of one to Military Academy, 1116.

Detail of acting, 469, 469a.

under Direction of Judge Advocate General, 470.

Duties, 470.

Number increased, 466.

Oaths, general powers of notary public, etc., in foreign places, 114 A. W.

JUDGMENT:

on Claims. See *Court of Claims*.

JUNIOR MILITARY AERONAUT:

See *Signal Corps, Aviation Section*.

JUNIOR MILITARY AVIATOR. See *Signal Corps, Aviation Section*.

JURISDICTION:

Of a particular court, see the court.

over Claims. See *Claims*.

over Offenses on high seas, 300.

over Offenses on reservation, etc., 1316a, 1316b.

JURY SERVICE:

Employees of armories exempted from, 860.

JUSTICE, DEPARTMENT OF:

See also *Executive departments*.

Attorney General. See *Attorney General*.

Officers and employees, duties, 138, 263.

KEHOE, WILLIAM H.:

Late cadet, appointment and retirement as second lieutenant, 1162f.

KNOTS:

ENLISTED RESERVE CORPS—

for Attendance at encampments, 1583.

Unauthorized wearing, penalty, 1584.

Worn in lieu of medal of honor, 1017.

LABOR DAY:

Made legal holiday, 56.

LABOR, DEPARTMENT OF. See *Secretary of Labor*.

LABORERS:

See also *Injuries to Government employees*.

Beneficiary in case of death from injuries, 67.

Compensation for injury, to whom payable, 69.

in Departments. See *Executive departments*.

Eight hours to constitute day's work, 1218, 1219.

LABORERS—Continued.

Evidence of disability, etc., to be furnished, 68.

at Headquarters, etc., pay, 362, 362a, 362b.

Injured in course of employment, compensation, 66-72.

Report of accidents, 71.

LABOR, HOURS OF:

in Executive departments. See *Executive departments*.

of Laborers. See *Laborers*.

LABOR-SAVING MACHINERY:

Manufacture of clothing, etc., exchange of, 1261a.

LAND FORCES:

See also *Army*; *Militia*; *Volunteer Army*.

Component parts, 328, 329, 329a, 1382.

National Guard, national-defense act applies only to, 1322c, 1322d.

Organization in exigencies, 1385.

Printing and binding, publications for, 112c.

Strength of, in time of war, 1391.

LAND-GRANT RAILROADS. See *Bond-aided railroads*.

LANDMARKS:

Declared national monuments, 1285.

LANDS:

Donations. See *Donation of lands*.

Indian. See *Indian country*.

Public. See *Public lands*.

Cantonments, camp sites, etc., 547c.

MILITARY PURPOSES—

Acceptance of donations for, 802c.

Commandeering or requisitioning, 802d, 1274g, 1274i.

Condemnation proceedings, 802a.

Examination of title, etc., prior to possession, waived in time of war, 802d, 1274g, 1274n-1274p.

Purchase at agreed price, 802b.

Requisitioning or commandeering, for, 802, 1274g, 1274i.

Military Reservations. See *Military Posts*; *Military Reservations*; *Public Lands*; *Reservations*.

LARCENY:

of Public property, penalty, 1263.

LAUNDRIES:

Government steam, restriction on work, 521, 521a, 521b.

LAUNDRYMEN:

at Recruit depots, provisions for payment, 723.

LAW:

Detail of officers to study, forbidden, 469b.

Determination of questions of. See *Attorney General*.

LAW BOOKS:

Purchase of, restricted, 78.

LEASES:

in District of Columbia. See *District of Columbia*.

LEASES—Continued.

- of Land in Hawaii for military posts, 1292.
- of Public property, 1279.

LEAVES OF ABSENCE:

- Accrued, civilian employees, Ordnance Department serving abroad, 857i.
- Arsenals. See *Armories and arsenals*.
- Executive departments. See *Executive departments*.
- Extra pay in lieu of, on muster out of volunteers, 1383e, 1383j.
- Federal and District employees in Officers' Reserve Corps, 1549a.
- Military Academy. See *Military Academy*.
- Nurse Corps. See *Nurse Corps*.
- of Officers. See *Officers, Army; Absence*.

LEGAL SERVICES. See *Attorney General*.

LETTERS:

- See also *Mail matter*.
- Advocating treason nonmailable, 253c.
- Allen enemy. See *Mails; Trading with enemy, License*.
- Military convicts privileged to send and receive, 489.
- Nonmailable matter, when, 253a.
- Official, sent free of postage, 252.
- Opening, authority for, 253b.
- Penalty for franking private, 253.
- Punishment for transmitting when declared nonmailable, 253d.
- Soldier may be forwarded unpaid, 251.
- Soldiers, in foreign countries may be transmitted free, 251a.

LIABILITIES. See *Outstanding liabilities*.

LIBRARIES:

- Certain, made depositories of documents, 125, 125a.

LIBRARY OF CONGRESS:

- Chief of Engineers granted use, 800.

LIBEL:

- Food and fuel. See *Food and fuel conservation*.
- Seeed arms, etc., intended for export. See *Neutrality*.

LICENSES:

- to Conduct commerce with insurgents, 1423-1426.

LIEUTENANT, ARMY:

- of a particular arm of the service, see the specific title.
- First. See *First lieutenants*.
- Fuel and forage allowed, 554.
- Navy, relative rank with Army, 352.
- Second. See *Second lieutenants*.

LIEUTENANT COLONEL, ARMY:

- Examination for promotion, 467c, 930b.
- Fuel and forage allowed, 554.
- Maximum pay, including longevity, 654.
- Pay, 635.
- Relative rank with Navy, 352.

LIEUTENANT COMMANDER, NAVY:

- Relative rank with Army, 352.

LIEUTENANT GENERAL, ARMY:

- Appointment for period of emergency, number, 350d.
- Fuel and forage allowed, 554.
- Pay, 635.
- Pay and allowances, 350e.
- Relative rank with Navy, 352.
- Termination of office, 350.

LIFEBOATS:

- Equipment of Army transports with, 536.

LIGHT. See *Heat and light*.LIGHT ARTILLERY. See also, *Artillery*.

- Recruit depot; school for instruction, 1186.

LIGHHOUSE SERVICE:

- Cooperation in time of war, 534d.
- Return of vessels, personnel, etc., on termination of emergency, 534b.
- Transfer of vessels, personnel, etc., to Army in emergencies, 534a.
- When subject to Articles of War, 534c.

LIMITATIONS. See *Statutes of limitations*.LINEAL RANK. See *Rank, Army*.

LINE OF ARMY:

- Enlisted men, etc., Corps of Engineers, part of, 791a.
- Enlisted men, maximum number, 332e.
- Enlisted men, Medical Department, excluded from, 332e.
- Enlisted men, Quartermaster Corps, excluded from, 332e.
- Enlisted men, Signal Corps, excluded from, 332e.
- Enlisted personnel, maintenance not below minimum strength, 332d.
- Philippine Scouts, excluded from strength, 332e.
- Recruits, excessive enlistments, service outside of United States, 332a.
- Soldiers sentenced to dishonorable discharge excluded from strength, 332g.
- Unassigned recruits excluded from strength, 332f.

LINE OFFICERS. See *Officers, Army*.

LINES OF COMMUNICATION:

- Establishment of, as President may direct, 1385.

LIQUORS. See *Intoxicating liquors*.

LOANS. Of a particular article or class of property, see the article or class.

LOCAL BOARDS. See *National Army, Draft*.LONGEVITY PAY. See *Pay of officers*.

LOST CHECKS:

- Issue of duplicates, 245, 245a.

LOYAL STATES:

- During insurrection. See *Insurrection*.

LUMP-SUM APPROPRIATIONS:

- See also *Appropriations*.
- Estimates for, 96, 96a, 96b.
- Expenditures from, restrictions, 35.
- Method of making, 96b.
- Payment of additional salaries to employees from, prohibited, 35a.
- Transfer of employees paid from, 35.

MACHINE-GUN COMPANY:

Additional, for Cavalry and Infantry brigades, 356d.

Armored motor-car, for divisions, composition, 356c.

Infantry, 1097b.

MACHINE-GUN DETACHMENTS:

Volunteer forces, organization, 1385.

MACHINE-GUN TROOP:

Cavalry, 1074c.

MACHINE-GUN UNITS:

Duty with, not deemed detached service, 938½.

MACHINES:

Exchange of sewing and other labor-saving, 1261a.

MAGAZINE RIFLES:

Issue to rifle clubs and schools, 954a, 954b.

Sale, to rifle clubs, 1367, 1368.

MAGAZINES. See *Periodicals*.**MAIL MATTER:**

See also *Newspapers*; *Postage*.

Envelopes. See *Envelopes*.

Franking privilege extended, 255.

Letters. See *Letters*.

Penalty for franking private, 253.

Registry of official, free of postage, 257.

Return penalty envelopes may be used, 256.

Jurisdiction of offenses, transmitting nonmailable, 253e.

Letters, advocating treason, nonmailable, 253c.

Letters, post cards, etc., nonmailable, 253a.

Opening letters, authority for, 253b.

Punishment for transmission when declared nonmailable, 253d.

Soldiers' letters may be forwarded postage unpaid, 251.

Soldiers' letters may be transmitted free from foreign countries, 251a.

MAILS:

Allen enemy, sending into or from United States, 1425c, 1425d.

Censorship of communications by, etc., during war, 1425c, 1425f.

Jurisdiction of offenses, transmitting nonmailable matter, 253e.

Newspapers, etc., in foreign languages, filing translation before mailing, 253g-253k.

Obstructing, penalty, 1465.

Publications in foreign languages, copies of permits and revocations of, 253f.

Publications in foreign languages nonmailable, when, 253h.

Publications in foreign languages, punishment for making affidavit containing false statement, 253k.

Publications in foreign languages under permits to bear certificate as to, 253j.

Punishment for use of, to transmit nonmailable matter, 253d.

* Use of, to make threats against the President, penalty, 1a.

MAJOR, ARMY:

in a particular arm or department, see the specific title.

Examination for promotion, 467b, 930b.

Fuel and forage allowed, 554.

Maximum pay, including longevity, 654.

Pay, 635.

Relative rank with Navy, 352.

MAJOR GENERAL, ARMY:

in a particular arm or department, see the specific title.

Command, of what consists, 356.

Entitled to three aids, 351.

Fuel and forage allowed, 554.

Line, appointment in time of peace, 350c.

Number, 350b.

Pay, 635.

Relative rank with Navy, 352.

Staff of, 358-360.

MAN. See *Men*.**MANCHU LAW:**

Assignment to detached officers' list, 929e.

Provisions and scope, 384, 937-938½.

MANEUVERS:

See also *Militia*, *Encampments and Maneuvers*; *National Guard*, *Encampments and Maneuvers*.

Damages to private property caused by, 162.

by Regular Army and militia, 1296-1298.

MANUFACTURE:

Food and fuel. See *Food and fuel conservation*, *License*.

MANUFACTURE OF ARMS. See *Arms*; *Munition plants*.**MANUFACTURING ESTABLISHMENTS:**

Foreign, expenses of special courses in, 889uu.

MARINE AND SEAMEN'S INSURANCE:

Division of. See *Bureau of War-Risk Insurance*.

MARINE CORPS:

Appointment of officers as director of civilian marksmanship, 1580.

Army supplies furnished while on shore duty, 517.

Articles of War, when subject to, 305, 2 A. W.

Cadets, deficient, appointment in, 1162e.

Commissioned service in, counted in rank of Artillery officers, 353a.

Deceased officers and men, settling accounts, 1060.

Enlisted men on shore duty, rations or commutation, 304a, 304b, 590.

Medical personnel of Navy serving with, on shore duty, subject to Articles of War, 305a.

Officers, precedence over drafted forces, 1339m.

Purchase of ordnance by officers, 843.

Purchase of quartermaster supplies by officers of, 588a.

Purchase of subsistence by personnel of, 588, 588b.

MARINE CORPS—Continued.

- Rations furnished, serving with Army, 590, 304a, 304b.
- Sale of stores to Army personnel, 588.
- Shore duty, subject to, 304.
- Transfer to, by enlisted men, 1036.

MARINE INSURANCE:

- Proclamation of President relative to, as affecting German insurance companies, 1425k.

MARITIME JURISDICTION OF UNITED STATES:

- Offense committed within, 1316a.

MARITIME PRIZES:

- Captures on inland waters not considered, 1429.

MARKSMEN:

- Additional pay for qualifying, 699, 699a.

MARRIAGE:

- See also *Military and Naval Compensation*.

MILITARY AND NAVAL INSURANCE—

- Evidence, as to claimants, 1483g.
- Legal, according to law of domicile, 1483r.

MARSHALS:

- Fees in civil-rights actions, 1451.
- Warrants and process to be executed by, 1450.

MASTER ARMORER:

- Springfield Armory, pay, 854a.

MASTER ELECTRICIAN:

- Quartermaster Corps, designated, quartermaster sergeants, 514b.
- Quartermaster Corps, number, 506a.
- Rate of pay, 695.

MASTER ENGINEER:

- Pay, 695a.

MASTER GUNNERS:

- Rate of pay, 695.

MASTER HOSPITAL SERGEANT:

- Appointment, 760a.
- Pay, 695a.
- Percentage, 766d.

MASTER OF THE SWORD:

- Military Academy, pay, etc., 1131, 1132, 1132a.

MASTER SIGNAL ELECTRICIAN:

- Signal Corps, percentage, 890a.

MATERIALS:

- American, to have preference, 1205, 1234, 1234a.

- Bonds to cover payments for, 1217.

- Proceeds of sales of old, disposition, 404.

MEAL. See Food and Fuel Conservation.**MECHANICS:**

- See also *Laborers; Injuries to Government employees*.

- Designated as horseshoer, pay, 703.

- Eight hours to constitute day's work, 1218, 1219.

- Executive departments, employment restricted, 28.

- In Field Artillery, pay, 697, 698.

- Medical Department, percentage, 766e.

- Pay, 695a.

- Transfer on lump-sum appropriations, 35.

MEDAL OF HONOR ROLL:

- Allowances for special pensions, how paid, 1014h.
- Applications for entry on, 1014a.
- Certificate to be issued, 1014b.
- Certificate, copy to Commissioner of Pensions, 1014b.
- Commencement of special pension, 1014d.
- Conditions for entry on, 1014a.
- Establishment, 1014a.
- Evidence considered as to applicant, 1014b.
- Limitation where two or more medals, 1014g.
- Other benefits not affected, 1014e.
- Rank not considered, 1014g.
- Special pension, 1014c.
- Special pension exempt from tax, etc., 1014f.

MEDALS:

- See also *Badges; Insignia; Medals of honor; Trophy, National*.
- Bronze, to volunteers, Philippine insurrection, 1013b, 1013c.

MEDALS OF HONOR:

- See also *Badges; Insignia*.
- Appropriation available for, 1017.
- BOARD TO INVESTIGATE PAST ISSUES—
- Access to War Department records, 1014b.
- Composition, 1014i.
- Expenses, 1014m.
- Enlisted men, 1013a.

ISSUE OF—

- to Militia and volunteers, authorized, 1385.
- to Persons after separation from service, 1014.
- by President authorized, 1013.
- Names to be stricken off list if improperly issued, 1014f.

REPLACEMENT—

- of Lost, 1015.
- of Worn-out, 1016.
- Rosettes or insignia worn in lieu, 1014, 1017.
- Wearing or displaying after name stricken from list, 1014k.

MEDICAL CORPS:

- See also *Medical Department; Medical Reserve Corps*.

APPOINTMENTS—

- Age limit, 732a-732c.
- Contract surgeons eligible, 733.
- Examination by medical board, 732.
- Limitation upon annual number, 734.
- Qualification, 732a.
- When Army reduced, 729b.
- Composition, 729, 729a.
- Comprises part of Medical Department, 728, 728a.
- Discharge of increase made for time of war, 729c.

OFFICERS—

- Assignment to duty by Secretary of War, 741.

MEDICAL CORPS—Continued.**OFFICERS—Continued.**

Attendance on families of officers and soldiers, 742.
 Command, rank gives no right to, 355.
 Cooking by enlisted men, superintendence, 748.
 Detail with Red Cross, 728b.
 Promotion as captains of first lieutenants, 729d.
 Rank and precedence, 730, 731, 731a.
 Ratio to Army, 729a.
 Record of sick and wounded, 439.
 Saving clause in reorganization act, 737.

PROMOTIONS—

Above captain, limited, 729b.
 According to seniority, 734.
 After examination, 735, 736.
 Examination, effect of failure, 735, 736.
 First lieutenants as captains, 729d.
 Limitation upon annual number, 734.

MEDICAL DEPARTMENT:

Accounts, settlement with other bureaus, etc., 775g.
 Composition, 728, 728a.
 Contract dental surgeons. See *Contract dental surgeons*.
 Contract surgeons. See *Contract surgeons*.
 Contracts, form, 1211c.
 Cook, pay, 695a.
 Cook, percentage of, 766d.
 Corporal, pay, 695a.
 Corporal, percentage of, 766d.
 Dental Corps. See *Dental Corps*.
 Dental students. See *Enlisted Reserve Corps*.
 Dental surgeons. See *Dental surgeons*.
 Employment of civilian physicians, 779.

ENLISTED MEN—

See also *Hospital Corps*.
 Composition, 756a.
 Enlistments, 766a.
 Hospital Corps transferred to, 756b.
 Increase in emergency, 766c.
 Line, exclusion from, 332e, 756a.
 Pay, rated, 765a, 765b.
 Percentage of grades, 766d-766f.
 Promotion, 766a.
 Promotion when Army reduced, 766g.
 Ratings for additional pay, 765a, 765b.
 Ratio to strength of Army, 766b.
 Transfer from line or staff, 766a.

Farrier, pay, 695a.
 Farrier, percentage, 766e.
 Horseshoer, pay, 695a.
 Horseshoer, percentage, 766e.
 Hospital Corps. See *Hospital Corps*.
 Hospital matrons. See *Hospital matrons*.
 Hospitals. See *Hospitals*.
 Hospital sergeant, pay, 695a.
 Hospital sergeant, percentage, 766d.
 Hospital stewards. See *Hospital stewards*.

MEDICAL DEPARTMENT—Continued.

Major general, office to cease on vacancy, 927g.
 Master hospital sergeant, appointment, 760a.
 Master hospital sergeant, pay, 695a.
 Master hospital sergeant, percentage, 766d.
 Medical Corps. See *Medical Corps*.
 Medical Reserve Corps. See *Medical Reserve Corps*.
 Medical students. See *Enlisted Reserve Corps*.
 Mechanic, pay, 695a.
 Mechanic, percentage, 766e.
 NONCOMMISSIONED OFFICERS—
 Percentages, 766d.
 Promotion when Army reduced, 766g.
 Reenlistment in same grade, 766g.
 Nurse Corps. See *Nurse Corps*.
 Officers. See *Medical Corps*; *Medical Reserve Corps*; *Dental Surgeons*; and *Veterinary Corps*.
 Part of Regular Army, 331a.
 Private, pay, 695a.
 Private percentage, 766f.
 PRIVATE, FIRST CLASS—
 Pay, 695a.
 Pay, additional, 765a, 765b.
 Percentage, 766f.
 Saddler, pay, 695a.
 Saddler, percentage, 766e.
 Sanitary equipment, loan to Red Cross, 755b.
 Sergeants, additional details, 1332a.
 Sergeants, pay, 695a.
 Sergeants, percentage, 766d.
 Sergeants, first class, pay, 695.
 Sergeants, first class, percentage, 766d.

SUPPLIES—

Proceeds of sales, 775f.
 Sale to American Red Cross, 755a.
 Sale to civilian employees, 755e.
 Surgeon General. See *Surgeon General*.
 Surgeon General, pay and rank, 729a, 927f-927g, 373a.
 Surgeons. See *Surgeons, Army*.
 Trusses, applications for, 783a.
 Trusses, purchase, 783b.
 Veterinary Corps. See *Veterinary Corps*.

MEDICAL DEPARTMENT, NAVY:

Officers and enlisted men serving with Marine Corps on shore duty subject to Articles of War, 305a.

MEDICAL INSPECTORS:

of Volunteer forces, 1393.

MEDICAL RESERVE CORPS:

See also *Medical Department*; *Medical Corps*.
 Abolished, 1539.
 Appointments, contract surgeons eligible, 745.
 Appointments, rights and privileges, 744.
 Assignment to active duty, restrictions, 746.
 Called out, restoration of Government employees, 1339o.

MEDICAL RESERVE CORPS—Continued.

Comprises part of Medical Department, 728.

Officers, when subject to Army Regulations, 747.

Part of Medical Department, 728a.

Pay, 695a.

Pay of members on active duty, 747.

Pensions to members, restrictions, 748.

President authorized to discharge members, 746.

Rank of members while on active duty, 744.

Retirement of members, 748, 749.

MEDICAL SERVICE:

Supplies and, furnished by Director of War-Risk Insurance, 1483bbb.

Supplies and, injured Federal employees, 661.

MEDICAL STUDENTS:

Enlistment in the Enlisted Reserve Corps, 1591a.

MEDICAL TREATMENT:

of Army personnel in private hospitals, 776, 776a, 776b, 776d.

Director of War-Risk Insurance, to furnish, 1483bbb.

of Families of officers and soldiers, 742.

Injured Federal employees to receive, 661.

Prisoners of war, etc., 776d.

MEN:

Defined as to allotments, allowances, etc., 1483z.

MEMBERSHIP FEES:

Payment from public money restricted, 81.

MEMBERS OF CONGRESS. See *Congress*.**MERIT, CERTIFICATES OF.** See *Certificates of merit*.**MESSENGERS:**

in Army, pay, etc., 362, 362a, 362b.

in Executive departments. See *Executive departments*.

at Headquarters, restriction on detail, 31, 362b, 362d.

MESS SERGEANT:

Pay, 697.

MESS STEWARD:

at Recruit depots, extra-duty pay, 563b.

MEXICAN BORDER:

See also *National Guard*.

Homesteaders credited with military service on, 1272a.

MEXICAN WAR:

Enlistments in, desertion charge removed, 449, 450.

MEXICO:

Employment of armed forces in, justified, 1475a.

Exportation of arms to, may be prohibited, 1475.

Hostility to people of, disclaimed, 1475b.

MILEAGE:

of a particular class of officers, see the specific title; see also *Transportation*.

Accounts computed by mileage tables, 676, 678.

MILEAGE—Continued.

Allowance if station changed while on leave, 679.

Appropriations for, 689.

Civilians attending training camps, rate, 1574a.

Computed over shortest route, 675, 678.

Deductions, for transportation in kind, 685.

Deductions for travel on free, etc., roads, 686, 687.

Foreign armies, officers and enlisted men of attached to U. S. Army, 673b, 889yy.

for Inspections restricted to those ordered, 688.

Officers and enlisted men of foreign armies serving with Aviation Section, 889yy.

Officers detailed abroad, 673.

Officers in Aviation Section, appropriation for, 688a.

Officers, in Ordnance Department, appropriation, 688b.

Officers on discharge, 680.

Orders involving, to state duty enjoined, 677.

Payments for inspections, etc., restricted, 688.

Rate of allowance, 7 cents per mile, 678.

Secretary of War to define terms of, 671.

Travel and duty "without troops" to be defined, 671, 671a.

Travel expenses in lieu of, 680.

Traveling expenses of Foreign officers, etc., attached to U. S. Army, 673b, 889yy.

MILITARY ACADEMY:

Academic Board, 1162.

ACADEMIC STAFF—

not Entitled to separate commands, 1114.

Accounts with other bureaus, settlement, 1179a.

ADJUTANT—

Detailed by Secretary of War, 1108.

Pay, 1135.

Appropriations. See this title, *Contingent fund*; *Superintendent*.

Army service detached. See this title, *Enlisted men*.

Assistant instructors. See this title, *Instructors*.

Assistant professors. See this title, *Professors*.

ATHLETIC TEAMS—

Trainer, custodian of gymnasium as, 1131a.

BAND—

Competition with civilian bands prohibited, 1167.

Composition, 1166, 1167.

Musicians, number and pay, 1165, 1166.

Musie outside reservation, no extra pay, 1167.

Part of Regular Army, 331a.

MILITARY ACADEMY—Continued.

BOARD OF VISITORS—

Appointment, 1174, 1174a.

Duties, 1175.

Expenses, 1174, 1174b.

BUILDINGS—

Erection of churches, when allowed, 1181.

Hotel, disposition of rent, 1178.

Increase, board to report, 1139d.

CADET BATTALION—

Composition, 1158.

Encampments and instruction, 1158.

CADET MESS—

Purchases for, 1136.

CADETS—

See also *Articles of War*.

Appointment—

of Cadets found deficient, 1162.

Candidates' travelling expenses, 1152.

Conditional until admitted, 1145.

Date of admission changed, 1149.

District of Columbia, 1139a.

Examination before admission, 1147.

Honor graduates of educational institutions, 1139a.

at Large, 1139a.

Number, see this title *Number*.

One year before admission, 1145.

Philippine Islands, 1143a.

Physical examination, 1148.

Porto Rico, 1139a.

by President, 1139, 1139a.

Qualifications. See this subdivision, *Qualifications*.

as Second lieutenant and retire former, 1162f, 1162g.

Successor after three years, 1141a, 1141b.

Communtation of rations for, 611b, 611c.

Courts-martial, 1163, 2 A. W.

DEFICIENT—

Reexamination allowed, 1162a.

Reexamination allowed former, 1162b.

Restrictions, 1162c.

DISMISSAL—

for Deficiency in studies, commission in Army, 1162d.

for Deficiency in studies, commission in Marine Corps, 1162c.

for Hazing not to be reappointed, 1164.

from District of Columbia, 1139a, 1144.

Duties. See this subdivision, *Service*.

GRADUATES—

Commissioned second lieutenants, 1154, 1155, 331d.

Commission in Corps of Engineers, 784, 786.

Detail as Instructor, restricted, 1130.

Mileage from home to station, 1157.

Pay as second lieutenant, 1156.

MILITARY ACADEMY—Continued.

CADETS—Continued.

HAZING—

Dismissal for, authorized, 1164.

Punishment prescribed by superintendent, 1164.

HEADQUARTERS—

Rank and pay of enlisted men, 1176b.

Honor graduates from colleges, 1139a.

at Large, number, 1140, 1139a.

from National Guard, 1139b.

NUMBER—

Authorized from States, etc., 1139, 1139a.

Increased, caring for, 1139d.

Increase, in increments, 1139c.

Increased, 1141, 1144, 1139a.

at Large, limited to 40, 1140, 1139a.

Oath, 1150.

PAY—

Commences at admission, 1145.

of Graduates commissioned, 1154.

Rate, 1153.

Part of Regular Army, 331a.

from Philippine Islands, 1143, 1143a.

from Porto Rico, 1142, 1139a.

QUALIFICATIONS—

Age limit, 1146.

Educational, 1147.

Resident of State, etc., from which appointed, 1139, 1139a.

Rations, commutation, 611b.

from Regular Army, 1139b.

SERVICE—

Articles of service, 1151.

not Counted for retirement, 657.

Period of, 1151.

Place of, as President directs, 1159.

STUDIES—

Alcohol and narcotics, 1161.

Military instruction, 1158.

Sunday study not required, 1160.

CADET STORE—

Retirement of manager, 1136b.

CHAPLAIN—

Appointment and term of office, 1133.

Pay and allowances, 1133.

COMMANDANT OF CADETS—

Appointment, by President, 1108.

to Command battalion of cadets, 1112.

Instructor of tactics, 1112.

Local rank lieutenant colonel of Engineers, 1110.

Pay of lieutenant colonel, 1113.

Selected from any arm of service, 1109.

Commissary and quartermaster, 1136.

Commissary sergeant assistant, 1136a.

Constructing quartermaster, 1137.

CONTINGENT FUND—

Annual accounting, 1178.

Creation, 1178.

Courts-martial, 1163, 2 A. W.

Custodian of gymnasium, 1131a.

Dental surgeon detailed, 755.

MILITARY ACADEMY—Continued.

ENLISTED MEN—

- Army service detachment, number, 1170.
- Army service men, pay, 1169.
- Artillerymen mustered out and reenlisted, 1168.
- Cadet headquarters, rank and pay, 1176b.
- Cavalry detachments, number, 1170.
- Engineer detachment, number and pay, 1171.
- Extra pay, overseer of water works, 1176a.
- Pay, 1176.
- Gas. Sale of, 1178.
- Graduates. See this title, *Cadets*.
- Hazing. See this title, *Cadets*.
- HOTEL—
 - Disposition of rent from, 1178.
- INSTRUCTORS—
 - Assistant instructors, pay, 1127.
 - Assistant instructors of tactics, pay, 1128.
 - Detail of graduates as, restricted, 1130.
 - Enumerated, 1106.
 - of Military hygiene, 1123.
 - Pay, 1125.
 - Retirement status, 1125.
- Leaves of absence to officers, 1138.

LIBRARY—

- Depository of Government publications, 1173.
- Depository of public documents, 125.
- Furnished copy of each Senate Document, 1172.
- Pay of librarian and assistant, 1134.
- Subscriptions, for, payment in advance, 1178a.

Manager, cadet store, retirement, 1136b.

MASTER OF THE SWORD—

- Creation of office, 1106.
- Duties, 1131.
- Line officer to perform duties of, 1131.
- Pay and rank, 1131, 1132, 1132a.
- National defense act, effect on, 1106a.

NONCOMMISSIONED OFFICERS—

- See also this title, *Enlisted men*.
- Headquarters Corps of cadets, rank and pay, 1176b.
- Pay, 1176.

OFFICERS—

- See also throughout this title.
- Detailed from any arm of service, 1109.
- Enumerated, 1106.
- Rank, gives no right to command, 1114, 1126.
- Vacancies, how filled, 1108a.
- Polo ponies, purchase for, 542.

PROFESSORS—

- Appointed by President, 1108.
- Assistant professor of English, 1122.
- Assistant professor of history, 1122.
- Assistant professor of law, 1116a.
- Assistant professors, officers detailed as, 1108.

MILITARY ACADEMY—Continued.

PROFESSORS—Continued.

- Assistant professors of ordnance, pay, 1120.
- Assistant professors, pay, 1127.
- Associate professors of mathematics, 1117, 1117a.
- Associate professors of modern languages, 1118.
- Associate professors, rank and command, 1126.
- Command only in Academy, 1126.
- Detail of graduates, restricted, 1130.
- of English, civilians to be appointed, 1121.
- Enumerated, 1106.
- of Law, assigned from Army, 1116.
- of Law, Judge Advocate assigned, 472.
- of Military hygiene rank, 1124.
- of Ordnance and gunnery, 1119.
- Part of Regular Army, 331a.
- Pay, restrictions, 1125.
- Promotion to colonel after certain service, 1108b, 1125a.
- Rank in Army, 1126.
- Retirement status, 1125, 1129.

Purchases. See this title, *Supplies*.

Quartermaster and commissary, 1136.

SALES—

- of Gas, 1178.
- of Unserviceable instruments, 1179.
- Studies. See this title, *Cadets*.
- Subscriptions, payment in advance, 1178a.

SUPERINTENDENT—

- to Account annually for contingent fund, 1178.
- Appointed by President, 1108.
- Appropriation for contingencies, 1177.
- Command of Academy, etc., 1111.
- Court-martial for trial of cadets, 1163, 2, 14, 48 A. W.
- Creation of office, 1106.
- Leave of absence to which entitled, 1115.
- Leaves of absence to professors, etc., 1138.
- Pay of colonel, 1113.
- Rank of colonel of engineers, 1110.
- Selected from any arm of service, 1109.
- Supervision by War Department, 1107.

SUPPLIES—

- Purchase, by contract or otherwise, 1158a.
- Waterworks, extra pay for overseer, 1176a.
- Wharfage dues, collection of, 1178b.

MILITARY AERONAUT:

See *Signal Corps, Aviation Section*.

MILITARY AND NAVAL COMPENSATION:

- See also *Pensions*.
- Age limit of child or grandchild, exception, 1483v.
- Appropriation for, payments from, 1483aaaa.

MILITARY AND NAVAL COMPENSATION—Continued.

Artificial limbs. See this title, *Disability*.

Assignment of, 1483uuu.

Attachment of, exemption from, 1483uuu.

Awards for death or disability, by whom made, 1483aaaa.

Awards, review of, 1483kkk.

Brother defined as to, 1483x.

Child defined as to, 1483t.

Claims against third persons, assignment to United States, 1483yyy, 1483zzz.

Claims for, time for filing, 1483ppp—1483ttt.

Coast Guard, when entitled to, 1483ee.

Commissioned officer defined as to, 1483y.

Commissioner of Pensions to administer provisions relative to, 1483bbb.

DEATH—

Apportionment between widow and children not in her custody, 1483tt.

Amounts payable to widow and children, 1483ll.

Army Nurse Corps, female, 1483xxx.

Assigned claims, disposition of proceeds by United States, 1483zzz.

Assignment to United States of right of action for against third person, 1483yyy, 1483zzz.

Beneficiaries remaining where payment has ceased to some, 1483ss.

Burial expenses, etc., in case of prior to discharge, 1483pp.

Child, duration of to, 1483rr.

Children, amounts payable to for, 1483ll.

Children not in custody of widow, apportionment between, 1483tt.

Discharge, etc., prior to, time limit of claim for, 1483qqq.

Dishonorable discharge or dismissal from service, effect on, 1493ooo.

Dismissal or discharge from service, effect on, 1483ooo.

Duration of, to child, 1483rr.

Duration of to widow or widowed mother, 1483qq.

Inflicted as lawful punishment, 1483nnn.

Marriage, restriction as to time of subsequent to injury, 1483tt.

Minor claimant, time limit for filing claim, 1483sss.

Mother. See this title *Widowed mother*.

Navy Nurse Corps, female, 1483xxx.

Nurse Corps. See this title *Army Nurse Corps, etc.*

Payment of, prior to filing claim, limitation on, 1483ttt.

Persons entitled to, 1483kk.

Record of, prerequisite to payment, 1483mmm.

Review of awards, 1483kkk.

Time limit of claim for, 1483ppp—1483ttt.

MILITARY AND NAVAL COMPENSATION—Continued.

DEATH—Continued.

Time limit of claim for, extension of, 1483rrr.

Time of occurrence as affecting right to, 1483lll.

Widow and children not in her custody, apportionment between, 1483tt.

Widow, amount payable to, 1493ll.

Widow, duration of, 1483qq.

Widowed mother, amount payable to, 1483mm.

Widowed mother, duration of, 1483qq.

Widowed mother, receive for death of but one child, 1483nn.

Widowed mother, right of not dependent on date of widowhood, 1483oo.

Widow, restriction as to time of marriage subsequent to injury, 1483tt.

DISABILITY—

Amount of monthly, dependent on existing conditions, 1483ddd.

Amounts, 1483vv.

Army Nurse Corps, female, 1483xxx.

Artificial limbs, furnishing of, 1483bbb.

Assigned claims, disposition of proceeds by United States, 1483zzz.

Assignment to United States of right of action for, against third person, 1483yyy, 1483zzz.

Basis of schedule of ratings of reduced earning capacity, 1483aaa.

Children, amounts, 1483vv.

Discharge, etc., prior to, time limit of claim for, 1483qqq.

Dishonorable discharge or dismissal from service, effect on, 1483ooo.

Dismissal or discharge, effect on, 1483ooo.

Examination, cessation of, during refusal to submit to, 1483lll.

Examination of persons receiving, 1483eee—1483lll.

Examination, personal physician may participate in, 1483fff.

Examination, refusal to submit to, etc., 1483hhh, 1483lll.

Examination, traveling expenses, etc., in connection with, 1483ggg.

Hospital service and supplies, 1483bbb.

Maximum for loss of both feet, hands, or eyes, 1483xx.

Medical or surgical treatment, 1483jjj.

Medical services and supplies, 1483bbb.

Military or naval control prior to discharge, 1483ccc.

Minor claimant, time limit for filing claim, 1483sss.

Navy Nurse Corps, female, 1483xxx.

Nurse Corps. See this title *Army Nurse Corps, etc.*

Nurse or attendant where total, 1483ww.

Partial, to be percentage of that for total, 1483yy.

MILITARY AND NAVAL COMPENSATION—Continued.

DISABILITY—Continued.

Payment prior to filing claim, limitation on, 1483ttt.

Permanent, maximum earning as to reduced rating capacity, 1483zz.

Persons entitled to, 1483kk.

Persons receiving service or retirement pay not entitled to, 1483vvv.

Retirement pay, person receiving, not entitled to, 1483vvv.

Review of awards, 1483kkk.

Revision of schedule of rating of reduced earning capacity, 1483aaa.

Schedule of ratings of reduced earning capacity, 1483zz, 1483aaa.

Service pay, persons receiving not entitled to, 1483vvv.

Surgical and medical treatment, 1483jjj.

Surgical services and supplies, 1483bbb.

Time limit, claim for, 1483ppp—1483ttt.

Time limit, claim for, extension of, 1483rrr.

Time of occurrence of, as affecting right to, 1483lll.

Trusses, furnishing of, 1483bbb.

Widowed mother, amounts, 1483vv.

Wife, amounts, 1483vv.

Disease. See this title, *Injury*.

Discharge, dishonorable, etc. See this title, *Disability*.

Discharge, military or naval control prior to, 1483ccc.

Dismissal. See this title, *Disability*.

Enlisted man defined as to, 1483z.

Enlistment defined as to, 1483aa.

Exempt from assignment, attachment, taxation, etc., 1483uuu.

False statement to claims, punishment, 1483il.

Fraudulent acceptance of payment, punishment, 1483jj.

Grandchild defined, 1483u.

Gratuity superseded by provisions for, 1483www.

Hospital supplies, etc. See this title, *Disability*.

Injury defined to include disease, 1483cc.

Man defined as to, 1483z.

Medical services, etc. See this title, *Disability*.

Military or naval forces defined as to, 1483ee.

Minors, payments to, 1483ff.

Misconduct causing injury or disease, bar to, 1483kk.

National Naval Volunteers, entitled to, when, 1483ee.

Naval Reserves, when entitled to, 1483ee.

Officers. See this title, *Commissioned officer*; *Warrant officer*.

Parent defined, 1483w.

MILITARY AND NAVAL COMPENSATION—Continued.

Partial disability. See this title, *Disability*.

Payable to whom, 1483kk.

Pensions superseded by provisions for, 1483www.

Permanent injuries. See this title, *Disability*.

Persons entitled to, 1483kk.

Punishment, death inflicted as lawful, 1483nnn.

Schedule of ratings, earning capacity. See this title, *Disability*.

Sister defined as to, 1483x.

Surgical services, etc. See this title, *Disability*.

Taxation, exemption from, 1483uuu.

Time limit for filing claims, 1483ppp—1483ttt.

Total disability. See this title, *Disability*.

Trusses. See this title, *Disability*.

Warrant officer defined as to, 1483y.

MILITARY AND NAVAL INSURANCE:

See also *Bureau of War-Risk Insurance*.

Actions on claims under insurance contracts, jurisdiction, 1483vvv.

Actuaries, deputies, assistants, etc., 1483f.

Administration expenses, 1483qqq.

Advisory board, establishment, powers, duties, and compensation, 1483h.

American Experience Table of Mortality, premium rates based on, 1483rrr.

Amount, maximum and minimum, 1483ccc.

Annual estimate of appropriation for, 1483m.

Application of civil-service rules to employees, exceptions, 1483o.

Application, time for making, 1483ddd.

Apportionment of payments, 1483ggg.

Appropriation for, 1483yyy, 1483zzz.

Appropriation for expenses, 1483n.

Army Nurse Corps, female, entitled to, 1483ccc.

Assignment, not subject to, 1483lll.

Attorneys. See this title, *Claim agents*.

Attorney's fees, judgment of court to include, 1483www.

Beneficiaries, cash payment to estate where do not survive, 1483ppp.

Beneficiaries, change of, 1483nnn.

Beneficiaries, payment where none is named, 1483ooo.

Brother defined as to, 1483x.

Calculations based upon American Experience Table of Mortality, 1483mmm.

Cash payment to estate where beneficiary does not survive, 1483ooo.

Cash value, provision for, 1483lll.

Change of beneficiaries, 1483nnn.

Child defined, 1483t.

Child, payment to, 1483fff, 1483ggg.

Claim agents and attorneys, compensation, 1483l.

MILITARY AND NAVAL INSURANCE—

Continued.

Claims. See this title, *Courts*.
 Coast Guards, when entitled to, 1483ee.
 Commissioned officer defined as to, 1483y.
 Commissioner of, defined, 1483bb.
 Commissioner of, salary, 1483b.
 Commissioner, power to administer oaths, subpoena witnesses, etc., 1483i.
 Contempt. See this title, *Disobedience of subpoenas, etc.*
 Continuous installments, provision for, 1483lll.
 Courts, judgment to include attorney's fees, 12483www.
 Courts, jurisdiction over claims under insurance contracts, 1483vvv.
 Creditors, not subject to claims of, 1483lil.
 Death, persons deemed to have applied for certain amount, 1483eeee.
 Deputies, assistants, actuaries, etc., 1483f.
 Deputy commissioners, power to administer oaths, subpoena witnesses, etc., 1483i.
 Disability cost due to hazards of war, 1483qqqq.
 Disability, permanent, persons deemed to have applied for certain amount, 1483eeee.
 Disease. See this title, *Injury*.
 Disobedience of subpoenas, etc., contempt, 1483k.
 Division of, created, 1483b.
 Employees, fees, allowances and salaries, 1483p.
 Enlisted man defined as to, 1483z.
 Enlistment defined as to, 1483aa.
 Examination. See this title, *Disability*.
 Excess disability cost, hazards of war, 1483qqqq.
 Excess mortality cost, hazards of war, 1483qqqq.
 Extended value, provision for, 1483lll.
 False statement to claims, punishment, 1483ii.
 Fees or charges, unlawful, 1843xxxx.
 Form of insurance, 1843ssss-1483uuuu.
 Grandchild defined as to, 1483n.
 Hazards of war, excess mortality and disability cost, 1483qqqq.
 Information to persons in service as to insurance contracts, etc., 1483gg.
 Injury defined to include disease as to, 1483cc.
 Insurance contract, publication of terms of, 1483hhhh.
 Jurisdiction over claims under insurance contracts, 1483vvvv.
 Judgment. See this title, *Courts*.
 Loan value, provision for, 1483lll.
 Man defined as to, 1483z.
 Maturity provision for, 1483lll.
 Military or naval forces defined as to, 1483ee.
 Minors, payments to, 1483ff.

MILITARY AND NAVAL INSURANCE—

Continued.

MARRIAGE—

Evidence as to claimants, 1483q.
 Legal, according to law of domicile, 1483r.
 Mortality, cost due to hazards of war, 1483qqqq.
 National Naval Volunteers, entitled to, when, 1483ee.
 Naval Reserves, when entitled to, 1483ee.
 Navy Nurse Corps, female, entitled to, 1483cccc.
 Officers. See this title, *Commissioned officer, Warrant officer*.
 Paid-up value provision for, 1483lll.
 Parent defined, 1483w.
 Payable to whom, 1483jjjj.
 Payment in installments, 1483kkkk.
 Payment to widow, child, or widowed mother, 1483ffff, 1483gggg.
 Payment where no beneficiary is named, 1483oooo.
 Persons deemed to have applied for certain amount, 1483eeee.
 Persons entitled to, 1483cccc.
 Premium rates, 1483rrrr.
 Premiums credited to appropriation for, 1483yyyy, 1483zzzz.
 Premiums, time and method of payment, 1483uuuu.
 Procedure of division, rules respecting, 1483e.
 Proofs and evidence, etc., 1483e.
 Punishment for violation of provisions relative to, 1483aaaa.
 Record of insurance held by officers and enlisted men, 1483hh.
 Regulations governing conversion from term insurance, 1483uuuu.
 Regulations made by director, 1483e.
 Sister defined as to, 1483x.
 Service of surgeons of Army and Navy, 1483g.
 Subpoenas, disobedience of, etc., contempt, 1483k.
 Term insurance, conversion into other forms, 1483tttt, 1483uuuu.
 Term insurance for period of war, 1483ssss-1483uuuu.
 Terms of insurance contracts, publication of, 1483hhhh.
 Time for making application for, 1483dddd.
 Total payments not to exceed 240 monthly installments. 1483gggg.
 War. See this title, *Hazards of war*.
 Warrant officer defined as to, 1483y.
 Widow, payment to, 1483ffff, 1483gggg.
 Widowed mother, payment to, 1483ffff, 1483gggg.
 Witnesses, fees and mileage, 1483l.

MILITARY ATTACHÉS:
 See also *Observers*.
 Detail of retired officers as, 673.
 Mileage, etc., to which entitled, 958.

MILITARY AVIATORS. See *Signal Corps; Aviation Section.*

MILITARY CABLE LINES:

Destruction, injury, etc., penalty, 900.

MILITARY CAMPS:

Sale of alcoholic liquors at, 1295b.

Suppression of houses of ill-fame near, 1295c, 1295f.

MILITARY CANTONMENT. See *Cantonment.*

MILITARY COMMISSIONS:

Jurisdiction of, not limited by Espionage Act, 13174l.

Personnel, 1385.

MILITARY CONVICTS. See *Military prison.*

MILITARY DUTY. See *Military service.*

MILITARY ESTABLISHMENT:

See also *Army; Militia; National Army; Volunteer forces.*

Annual report to Congress of expenditures under act for, 44g.

AUDIT OF ACCOUNTS—

Abroad, additional duties of employees, 205r.

Abroad, date of termination of war with Germany as to, 205w.

Abroad, termination of, after close of war, 205u.

Agents, accountants, etc., number and compensation, 205h.

Appropriation for expenses abroad, 205p.

Assistant auditor, compensation, 205g.

Assistant auditor, powers, 205i.

Assistant comptroller, compensation, 205i.

Assistant comptroller, powers, 205i.

Authority to administer oaths to American citizens, 205s.

Balances, certification and conclusiveness of, 205c.

Balances, payment by disbursing officers abroad, 205d.

Classified Civil Service, application to employees residing in foreign countries, 205j.

Detail of employees for duty outside of District of Columbia, 205o.

Examination of books by representatives of auditor and comptroller, 205k.

Filing contracts when settled abroad, 205m.

Limit on compensation of officers, employees, etc., abroad, 205v.

Manner of performing duties, 205b.

Oath of office of employees residing in foreign country, 205j.

Place other than seat of Government, 205a.

Performance of duties in foreign countries, 205c.

Preservation of vouchers and files, 205f.

Reopening, etc., settlement within one year after close of war, 205e.

MILITARY ESTABLISHMENT—Cont'd.

AUDIT OF ACCOUNTS—Continued.

Restoration of employees to former positions, 205n.

Sale of army stores to employees abroad, 205t.

Settled abroad, administrative examination, 205l.

Special disbursing agents of accounts for, 205q.

Subsistence of employees residing in foreign country, 205j.

Traveling expenses, employees residing in foreign countries, 205j.

Certain appropriations available for 1917 and 1918, 44e.

Certain appropriations available for obligations incurred prior to passage of act, 44f.

Permanent, to consist of Regular Army, 330.

MILITARY EXPEDITIONS:

in Violation of neutrality, 1471, 1471a, 1472.

MILITARY FORCE. See *Employment of military force.*

MILITARY FORT:

Sale of alcoholic liquors at, 1295b.

Suppression of houses of ill fame near, 1295e, 1295f.

MILITARY HEADQUARTERS:

Clerks at, known as field clerks, 362c.

Clerks at, restriction on detail, 31, 362b, 362d.

Employees' pay, etc., 362, 362a, 362b.

Establishment of, 364.

Field clerks subject to Articles of War, 362c.

MILITARY HYGIENE:

Professor of, at Military Academy, 1123, 1124.

MILITARY INFORMATION:

Expenses of officers detailed to obtain, 673.

MILITARY INFORMATION SECTION:

Expenses of observers paid from appropriation for, 673a.

MILITARY INSTRUCTION:

at a particular school, see the specific title.

Details of officers as instructors. See *Details.*

MILITARY LAWS OF THE UNITED STATES:

Revision and codification, 471a, 471b.

MILITARY MAPS. See *Military surveys and maps.*

MILITARY ORDER OF THE LOYAL LEGION:

Unauthorized wearing of badge, penalty, 1025.

MILITARY OR NAVAL FORCES:

Defined as to allotments, allowances, compensation, etc., 1483ee.

MILITARY PARKS. See *National military parks.*

MILITARY PASS. See *Pass.*

MILITARY PERMIT. See *Pass*.**MILITARY POSTS:**See also *Military reservations*.

Appropriations, expenditures restricted, 803.

Bakeries, purchase of equipment, 1237.

Barracks. See *Barracks*.Chaplains. See *Chaplains*.

Command, retired officers, 975a.

Commissary sergeants. See *Commissary sergeants*.

Contracts for repairs, etc., after advertising, 546.

Epidemic and contagious diseases, 778.

Establishment, Congress must authorize, 1289.

Exchanges. See *Post exchanges*.

Gardens, public moneys not expended upon, 518.

House of ill fame near, suppressing of, 1295e, 1295f.

Limit of expenditures on, without approval, 546a.

Ordinance sergeant to be at each, 819.

Post offices, 1294a.

Quartermaster sergeants. See *Quartermaster sergeants*.Quarters. See *Quarters, Army*.

Red Cross, storage of supplies, 1279b.

Report as to permanent, 1289a.

Sale of alcoholic liquors at, 1295b.

Sale of intoxicating liquors at, forbidden, 1295.

Schools, purchase of equipment for, 1237.

Suppression of houses of ill fame near, 1295e, 1295f.

Use of, for Indian education, 942b.

Y. M. C. A. buildings, erection, 1279a.

MILITARY PRISONS:(Secs. 1344 to 1361, R. S., inclusive, relating to the military prison, were repealed by the act of Mar. 4, 1915. See *Disciplinary barracks*.)**ACCOUNTS—**

Annual inspection, 479 (repealed).

BRANCH PRISONS—

Authorization, 476 (superseded).

Changed to disciplinary barracks, 475a, 475b.

COMMANDANT—

Bond of, 482 (repealed).

Powers and duties, 481 (superseded).

Record of good conduct kept by, 488 (superseded).

Report cases of solitary confinement, 491 (repealed).

COMPANIES—

Organization, 1104.

CONTROL—

Vested in Commissioners of Soldiers' Home, 477 (repealed).

Convicts. See this title, *Prisoners*.**DETACHMENT—**

Composition, 704.

Pay of enlisted men, 704.

Enlisted men. See this title, *Detachment*.**MILITARY PRISONS—Continued.****ESCAPE—**

Officer suffering prisoner to, penalty, 484 (repealed).

Soldier suffering prisoner to, penalty, 485 (repealed).

ESTABLISHMENT—

at Fort Leavenworth, 475 (superseded).

at Rock Island, 474 (superseded).

Government. See this title, *Control*.**INSPECTION—**

of Accounts, 479 (repealed).

Annual, by Secretary of War, 478 (repealed).

OFFICERS—

Composition, 480 (superseded).

Detailed by Secretary of War, 480 (superseded).

Not to be interested in contracts, 483 (repealed).

PRISONERS—

Discharged, clothing furnished, 494 (repealed).

Employment, disposition of proceeds, 486 (repealed).

Escape. See this title, *Escape*.

Food, bedding, baths, etc., 490 (repealed).

Manufacture of military supplies, 487. Privileges as to books, visitors, etc., 489 (repealed).

Record of good conduct kept, 488 (superseded).

Remission of portion of sentence, 488 (superseded).

Restoration to duty, 488 (superseded). Solitary confinement authorized, 491 (repealed).

Subject to Articles of War, 493 (repealed).

Subject to Articles of War while serving sentence imposed by courts-martial, 2 A. W.

Whipping, branding, etc., prohibited, 492 (repealed).

Repealing provision, 475a, 475b.

MILITARY PUBLICATIONS:

Purchase of, for militia, 1354.

MILITARY RECORDS:

of Indian wars, 441.

of Revolutionary War, 440, 442.

of War of 1812, 440.

MILITARY RESERVATIONS:See also *Aviation fields; Aviation stations; Military posts; Proving grounds; Reservations*.

Arson on, penalty, 1316.

Excepted from laws relating to town sites, 1269.

Exclusive jurisdiction vested in Congress, 1280.

in Hawaii, leasing of lands for, authorized, 1292.

Injury to defense systems, penalty, 1315.

MILITARY RESERVATIONS—Continued.

Lands for cantonments, camp sites, etc., 547c.

Laws of States adopted for punishing wrongful acts on, 1316b.

Leases of lands within, authorized, 1281.

Red Cross, storage of supplies, 1279b.

Roads, etc., across, when permitted, 1284.

Unlawful entry upon, penalty, 1317.

Y. M. C. A. buildings, erection on, 1279a.

MILITARY SCHOOLS:

for a particular school, see the specific title.

Militia officers attending, 1334.

MILITARY SECRETARIES:

to General Staff officers, prohibited, 369.

MILITARY SECRETARY'S DEPARTMENT:

See also *Adjutant General's Department; Record and Pension Office.*

Changed to Adjutant General's Department, 436.

Composition, 434.

Creation, 434.

Promotions in, 434.

MILITARY SERVICE:

Age limit of citizens liable to, 327, 1322a.

Age limit for draft, 1638.

Homesteaders allowed credit for, 1272, 1272a.

Voluntary enlistment, age limit, 1661.

Voluntary service by members of Officers' Reserve Corps in connection with, 1544b.

MILITARY SOCIETIES:

Badges of. See *Badges.*

Uniform, entitled to wear, 1010b-1010d.

MILITARY STATIONS:

Sale of alcoholic liquors at, 1295b.

Suppression of houses of ill fame near, 1295e, 1295f.

MILITARY STOREKEEPER:

See also *Storekeeper.*

Grade revived, 513a.

at White House, retained, 513.

MILITARY SUPPLIES. See *Supplies, Army.***MILITARY SURVEYS AND MAPS:**

Assistance of Coast and Geodetic Survey in making, 808b.

Assistance of Geological Survey in making, 808b.

MILITARY TACTICS:

Details as instructors of. See *Details.*

MILITARY TELEGRAPH CORPS:

Certificates of service in, 458.

MILITARY TELEGRAPH LINES. See *Telegraph lines.***MILITARY TELEPHONE LINES:**

Destruction, injury, etc., penalty, 900.

MILITARY TRAINING:

Civilians. See *Citizens' Training Camps; Reserve Officers' Training Corps; Target Ranges.*

Vocational training in addition to, 1293a-1293l.

MILITARY TRAINS:**MILITARY TRAINING CAMPS. See *Training Camps.***

of Volunteer forces, establishment, 1385.

MILITARY TRIBUNALS. See *Courts-martial.***MILITIA:**

See also *National Guard and Volunteer Army.*

Age limits, 1322a.

AMMUNITION—

See also, this title, *Arms and accouterments.*

Exchange of old for new, 1361.

Issues to Territorial Militia, 1380, 1381.

for Small arms, etc., issue to, 1362.

for Target practice furnished by United States, 1360.

Ancient organizations to retain privileges, 1327, 1327a-1327c, 1553d.

Apportionment, 1341.

APPROPRIATIONS—

See also *Appropriations.*

Allotments, purposes for which available, 1355.

Apportionment, basis of, 1353.

for Arms. See this title, *Arms and accouterments.*

Disbursement of encampment funds, 1329.

Payments for mileage from, 628.

Purchase of publications from, 1354.

Use for purchase of supplies, 1354.

ARMS AND ACCOUTERMENTS—

Accountability for lost or destroyed, 1359.

Accounted for annually, 1358, 1361.

Appropriation for exchange of, 1363.

Automatic pistols distributed to, 1370.

Distribution to Territories, 1380, 1381.

Expenditures reported annually to Congress, 1336.

Field Artillery material issued to, 1364.

Furnished by Secretary of War, 1361.

Lost, examination as to responsibility, 1359.

Purchased for cash, not exchanged, 1369.

Small arms, new type, issued, 1365.

Title in United States, 1358, 1361.

Army officers detailed for duty with, 957, 958, 1332, 1333.

ARTICLES OF WAR—

When subject to, 1342, 2 A. W.

ARTILLERY—

Coast, withdrawal of fire-control equipment, 1366.

BATTALIONS—

Inspection of small-arms practice in, 1357.

BATTERIES—

Horses for field, number and care, 1364a.

Peace strength of men, President may fix, 1326.

MILITIA—Continued.

BOARD OF MILITIA OFFICERS—

Abolished, 1337a.

Consultation with Secretary of War, 1337, 1338.

Expenses, 1338.

BRIGADES—

Composition in time of war, 357, 356a.

Inspector of small-arms practice in, 1357.

BUREAU OF WAR DEPARTMENT—

Division changed to, 1337a.

CLOTHING—

See also *Clothing, Army*.

Allowance fixed by Secretary of War, 1362.

Annual expenditures for, reported, 1336.

COMPANIES—

Composition, 1322, 1322a.

in Peace, President may fix number of men, 1326.

Continuous service pay of enlisted men of army who had commissioned service in, 1043d.

CORPS—

Army, composition, etc., 357, 356a.

Engineer Corps, number of men in peace, 1326.

Hospital Corps, number of men in peace, 1326.

Independent corps to retain privileges, 1327.

Signal Corps, number of men in peace, 1326.

COURTS-MARTIAL—

See also *National Guard, Courts-martial*.

Composition, militia officers in majority, 1343.

Failure to appear for muster, trial by, 1346.

DISTRICT OF COLUMBIA—

Army officer adjutant general, 1373, 1374.

Commanding general, appointment, rank, 1372.

Encampments. See this title, *Encampments*.

Included in term "State or Territory," 1321.

Lease of armory, etc., 1372a.

President commander in chief, 1371.

Retired officer may be detailed adjutant general, 959.

Right of way during parades, 1466.

Use of Washington Barracks, 1379.

DIVISION OF WAR DEPARTMENT—

Changed to bureau, 1337a.

DIVISIONS—

Composition in time of war, 357, 356a.

Inspector of small-arms practice in, 1357.

DUTIES—

See also, this title, *Service*.

to Serve upon call of President, 1344.

Within or without United States, 1344.

MILITIA—Continued.

ENCAMPMENTS—

See also *National Guard, training*.

Joint allotments may be advanced to States, 1328.

Joint, commanding during, 1328.

Joint, date of payment and period, 1330.

Joint, disbursement of funds for, 1329.

Joint, expenses reported to Congress, 1329.

Pay for period of service on muster, 1330.

Practice marches required, 1331.

with Regular Army, 1296-1298.

Enlisted men, detailed for duty with, 1332.

ENROLLMENT—

of Eligible male citizens, 1322.

Exemptions from militia duty, 1323, 1324, 1323a.

FIELD ARTILLERY—

Horses for, limit on, 1364a.

Issue of horses to, 1364b, 1364c.

of Hawaii. See *Hawaii*.

HORSES—

for Field Artillery, number and care, 1364a.

Issue of condemned Army horses to, 1364c.

Purchase and issue to, 1364b.

INSPECTIONS.

Detail of Army officers as inspectors, 1333.

States, etc., to provide for annual, 1331.

INSTRUCTION—

Detail of Army officers as instructors, 1333.

Maneuvers. See this title, *Encampments*.

MILEAGE—

Payments for, from militia appropriations, 628.

MUSTER—

See also this title, *Service*.

Failure to appear for, penalty, 1346.

without Further enlistment, 1346.

Rolls during actual service to Adjutant General, 1390.

Naval. See *Naval Militia*.

OFFICERS—

Attending military schools, allowances, 1334.

Disbursing officer, accounts, bond, 1356.

Disbursing ration fund, bond not required, 1350.

Former, appointment in Officers' Reserve Corps, 1533a.

Inspectors of small-arms practice, 1357.

of Territorial, appointed by governor, 1378.

of Territorial, how elected, 1377.

ORGANIZATION—

Same as in Regular Army, 1325.

MILITIA—Continued.

PAY—

Actual service, same as Army, 636, 1347.

Commencement of, 1347.

Commences at date of reporting, 1349.

During camp or field service, 1356.

During captivity by enemy, 720.

During encampment. See this title, *Encampments*.

Pensio*ns*. See *Pensions*.

Practice marches. See this title, *Encampments*.

RATIONS—

Commutation, to competitors in rifle matches, 611a.

Officers given funds for, not to give bond, 1350.

REGIMENTS—

Inspector of small-arms practice in, 1357.

RESERVE MILITIA—

Composition, 1322.

Creation, 1322.

RETURNS—

During actual service, to Adjutant General, 1390.

to President, by State adjutant general, 1335.

of Strength, annually to Secretary of War, 1335.

SERVICE—

See also this title, *Duties*.

Apportionment among States, 1341.

Call to active service, by President, 1339, 1340.

Called in advance of volunteers, 1340.

Congress may call forth, 1415.

Failure to obey call, penalty, 1346.

During insurrections, 1417-1419.

Organized, entitled to benefits of National Home for Disabled Volunteer Soldiers, 1502b.

Term limited, 1344, 1345.

"State or Territory" defined, 1321.

to Suppress Insurrection in another State, 1416.

SUPPLIES—

Purchase of publications authorized, 1354.

IN TERRITORIES—

See also throughout this title.

Command vested in governor, 1375.

Distribution of arms, etc., 1380, 1381.

General officers, how elected, 1377.

Officers, appointed by governor, 1378.

TROOPS—

Peace strength of men, President may fix, 1326.

Unorganized. See *Unorganized Militia*.

Uses. See this title, *Duties*.

MILITIA BUREAU:

Assignment of National Guard officers to, 1337b.

Chief member of General Staff Corps 1337a.

Chief, pay and rank, 373a.

MILITIA BUREAU—Continued.

Established, 1337a.

Militia division, abolished, 1337a.

Officers part of Regular Army, 331a.

MINERAL LANDS:

of United States, not to be leased, 1279.

MINES:

See also *Food and fuel conservation*.

Commandeering or requisitioning for military purposes, 1708-1713.

Injuries to, penalty, 1315, 1315a, 1315b.

MINING:

Fuel. See *Food and fuel conservation*, *License*.

MINING CLAIMS:

Filing of notice of muster into service, 1272i.

Labor on mining claims of persons in military service not affected, 1272c.

Notice by civilian claimant of desire to hold claim, 1272n.

Persons in military service, exemption from assessment work, etc., 1272j.

Suspension of assessment work by civilians during 1917-18, 1272m.

MINORS:

Enlistment of. See *Enlistment*.

Payments of allotments, allowances, etc., to, 1483ff.

Time limit for filing claim for death or disability, compensation, 1483sss.

MINTS:

Certain, to be depositories for public funds, 181.

MISSING MEN:

Family allowances of enlisted men in case of, 712k.

MISSISSIPPI RIVER:

Improving, exception to eight-hour law, 1227.

Issue of forage, officers serving east of, 557.

MOBILE ARMY DIVISIONS:

Abolished, 370a.

MOBILIZATION CAMP. See *Military camp*.

MOBILIZATION STATIONS:

Donations of land for, 1274c.

Reports as to needs, 1274c.

Sale of intoxicating liquors at, 1295b.

Suppression of houses of ill fame near, 1295e, 1295f.

MONEY:

See also *Public moneys*.

in Cargoes for export, report of, 1439d.

Enemy, transmission of out of United States, 1425n.

Soldiers' Home, officers not to borrow, 1513.

Transferred to Alien Property Custodian, payment into Treasury, 1424y.

MONTH. See *Rules for computing time*.

MONTHLY REPORTS. Of a particular department or office, see the specific title.

MONUMENTS:

to Soldiers, sale of ordnance for, 840, 849.

MOTHER. See *Widowed mother*.

MOTOR AMBULANCES:

- Purchase without advertising, 1198a.
- Selection of types, 1198a.

MOTOR-PROPELLED VEHICLES:

- Aviation Section, Signal Corps, purchase and repair, 889pp.
- Exchange in part payment for new, 1261b, 1261c.

MOTOR TRUCKS:

- Exchange for new, 1261a.

MOUNTAIN BATTERY. See *Artillery*.**MOUNTED OFFICERS:**

- See also *Officers, Army*.
- Ordered beyond seas, purchase of horses from, 558.

MOUNTED SERVICE SCHOOL:

- Depot for certain recruits, 1186.
- Establishment, purpose, 1186.
- Theoretical and practical instruction at, 1183.

MOUNTS. See *Horses*.**MOURNING:**

- Public buildings not to be draped in, 122.

MULES:

- See also *Horses*.
- Purchase of, by contract, after advertisement, 1235.
- Purchases, limitation upon, 537, 538.
- Sale of, not required for Regular Army, etc., 538a.
- Transfer of Army to National Guard organizations, 1364o.

MUNICIPAL CORPORATIONS:

- Loans or gifts of condemned ordnance to, 849.

MUNICIPAL EMPLOYEES:

- Rates of pay compared with Government employees, 40g.

MUNITIONS PLANTS:

- Board of Mobilization, 1605.
- Commandeering in time of war, 1601.
- Compensation for use in time of war, 1602.
- Government manufacture of arms, investigation, 1606.
- Information as to, 1603, 1604.
- Listing, 1603, 1604.
- Nitrates. See *Nitrate plants*.
- Orders obligatory in time of war, 1601.
- Orders to have precedence in time of war, 1601.
- Possession taken of, when, 1601.
- Purchases from, in time of war, 1600.
- Rental in time of war, 1602.
- Requisitioning in time of war, 1601.
- Transforming manufacturing plants into, plans, 1604.

MUSEUMS:

- Permits for examination of ruins, 1286, 1287.

MUSICIANS:

- See also *Bands*.
- Pay, 695a.
- Rate of pay, in Army, 698.

MUSTER ROLLS:

- of Militia. See *Militia*.
- Overdrawn clothing charged soldiers on, 574.
- of Volunteers. See *Volunteer Army*.

MUSTERING OFFICERS:

- Administer oaths in mustering out volunteers, 1383i.

MUSTERS:

- of Militia. See *Militia*.
- of Volunteers. See *Volunteer Army*.

MUTINY:

- Causing, punishment, 13171d.

NAME:

- Certificates of discharge in true name, 1048.

NARCOTICS.

- Study of, at Military Academy, 1161.

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS. See *Aeronautics, Advisory Committee for*.**NATIONAL ARMY:**

- See also *Selective service act*.

APPOINTMENT—

- Staff departments, designated, with certain grades, 1532a.

AMMUNITION BATTALIONS—

- Draft, organize, and equip, 1636.
- Articles of War, forces raised by draft subject to, 1640.

ARTILLERY PARKS—

- Draft, organize, and equip, 1636.
- Bounties for military service prohibited, 1643.

- Criminal prosecutions for failure to register, precedence, 1655.

DEPOT BATTERIES AND BATTALIONS—

- Draft, organize, and equip, 1636.
- Discharge of officers. See this title *Officers*.

DISTRICT OF COLUMBIA—

- Quota from, 1639, 1645.

DRAFT—

- Age limit for, 1638.
- Appeals, powers, and duties of district boards, as to, 1650, 1651.
- Bounties and substitutes, prohibited, 1643.
- District boards. See also this title *Exemption*.
- District boards, decisions final, exceptions, 1651.
- District boards, regulations for organization, 1653.
- District boards, regulations for procedure, 1653.
- District boards, vacancies on, filling, 1652.
- Duration of service under, 1640, 1640a, 1640b.
- Employees under Food and Fuel Conservation Act subject to, 1737.
- EXEMPTIONS—**
 - Appointment of district boards, 1649.
 - Appointment of local boards, 1647.

NATIONAL ARMY—Continued.

DRAFT—Continued.

- Classes of persons who may claim, 1644.
- Compensation of local board, 1647.
- District boards decision final, exceptions, 1651.
- District boards to pass upon, 1649.
- District boards, vacancies, filling, 1652.
- Duties and powers of local boards, 1648.
- Jurisdiction of district boards, 1649.
- Local boards for States, etc., to pass upon, 1646.
- Local boards, vacancies, filling, 1652.
- Persons within age limit to remain subject to, 1656.
- Powers and duties, district boards on appeal, 1650.
- Powers and duties, district boards, original cases, 1650.
- Powers and duties, local boards, 1648.
- Qualifications, district boards, 1649.
- Qualifications, local boards, 1647.
- Regulations, organization of district boards, 1653.
- Regulations, organization of local boards, 1653.
- Regulations, procedure of district boards, 1653.
- Regulations, procedure of local boards, 1653.
- Religious sects, 1644.
- Vice President, 1644.
- Forces raised by, subject to Articles of War, 1640.
- Grouping of units by States, etc., 1662.
- Local boards. See also this title *Exemptions*.
- Local boards, regulations for organization, 1653.
- Local boards, regulations for procedure, 1653.
- Local boards, vacancies on, filling, 1652.
- Organize and equip ammunition battalions, 1636.
- Organize and equip artillery parks, 1636.
- Organize and equip forces, 1630, 1634.
- Organize and equip recruit training units, 1635.
- Organize, equip, and train additional forces, 1634.
- Organizations composed of men from same State, etc., 1642.
- Penalty envelopes, use in connection with, 1659.
- Persons exempt from, classes, 1644.
- Persons subject to, 1638.
- Proclamation as to peace, 1640b.
- Quota to be furnished notwithstanding exemptions, 1645.

NATIONAL ARMY—Continued.

DRAFT—Continued.

- Quotas, credit for men in military service on certain date, 1639.
- Quotas from States, Territories, etc., 1639, 1645.
- REGISTRATION—
 - Absentees, temporary, 1657.
 - Age limit for, 1654, 1656.
 - Criminal prosecutions on failure, precedence, 1655.
 - Duty to register, 1654.
 - Persons remain subject to draft unless exempted, 1656.
 - Persons subject to, 1654, 1636.
 - Punishment for failure or refusal, 1654, 1655.
 - Punishment for failure to perform required duties, 1660.
 - Punishment for false, 1660.
 - Temporary absentees, 1657.
 - Utilize services of departments and officers of United States, States, etc., 1657.
- Selective, exclusively for forces of, 1637.
- Special and technical troops, voluntary enlistment or, 1641.
- Termination of service under, 1640a, 1640b.
- Transportation of forces to home station, 1640b.
- Duration of service in, 1640, 1640a, 1640b.
- ENLISTED MEN—
 - Pay, allowances, etc., same as Regular Army, 1668.
 - Enlistment, age limit for voluntary, 1661.
 - Enlistment, qualifications and conditions for voluntary, 1661.
 - Exemptions. See this title under *Draft*.
 - Forces, subject to Articles of War, 1640.
 - General officers. See this title *Officers*.
- INFANTRY DIVISIONS—
 - Age limit for enlistment in, 1383c.
 - Division smallest unit to be accepted, 1383d.
 - Officers for, selection, 1383a, 1630.
 - Organization same as for Regular Army, 1383b.
 - Voluntary enlistment, limitation, 1383a.
- Military boards. See this title *Officers*.
- OFFICERS—
 - Appointment for training additional drafted forces, 1634.
 - Appointment from same State, etc., as their organizations, 1642.
 - Appointment, period of. See this title *Period of appointment*.
 - Appointment, sources from which may be made, 1630.
 - Appointment with rank below colonel, 1632.
 - Appointment with rank of colonel or above, 1632.

NATIONAL ARMY—Continued.

OFFICERS—Continued.

Boards to pass upon qualifications, etc. See this title *Military boards*.

Discharge by President, 1666.

Efficiency, etc., of. See this title *Military boards*.

General, temporary appointment of, 1663, 1664.

General, vacancies in Regular Army caused by, 1664.

Military boards, approval of report, 1667.

Military boards, rank of members, 1667.

Military boards to report on capacity, conduct, etc., of, 1666, 1667.

Pay, allowances, etc., same as Regular Army, 1668.

Period of appointment, 1665.

Qualifications, etc., of. See this title *Military boards*.

Retired enlisted men appointed as, 1630.

Subject to Articles of War, 1640.

Vacancies caused by temporary appointment in Signal Corps, 879g.

Organizations composed of men from same State, etc., 1642.

Organization same as for Regular Army, 1631.

Pay, allowances, etc., same as Regular Army, 1668.

Proclamation as to peace, 1640b.

Quotas to be furnished by States, etc., 1639, 1645.

RANK—

Staff departments, appointments to certain, 1532a.

Recruit training units, draft, organize, and equip, 1635.

Registration. See this title under *Draft*.

Religious sects. See this title. *Exemptions*.

Repealing clause, 1669.

Retired enlisted men, appointment as officers of, 1630.

SPECIAL AND TECHNICAL TROOPS—

Voluntary enlistment or draft of, 1641.

STATES—

Quota from, 1639, 1645.

Strength, authorized, not reduced by increase of Signal Corps, 879i.

Substitute for military service prohibited, 1643.

Temporary absentees, registration of, 1657.

Termination of services in, 1640, 1640a, 1640b.

TERRITORIES—

Quota from, 1639, 1645.

Transportation of forces to home stations, 1640b.

Trials, civil, criminal prosecution on failure to register, precedence, 1655.

Vice President. See this title *Exemptions*.

NATIONAL ARMY—Continued.

Volunteers. See this title, *Enlistment*; *Infantry divisions*; *Special and technical troops*.

NATIONAL BANKING ASSOCIATIONS:

Designation as depositories of public funds, 182, 182a.

NATIONAL BANKS:

Designated as depositories, report of, 182a, 183.

NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE:

Regulations for rifle ranges, 1579.

NATIONAL CEMETERIES. See *Cemeteries*.

NATIONAL-DEFENSE ACT:

Amendments of. See the particular subject.

Effect on certain organizations, 1106a.

Effect on National Guard and land forces, only, 1322c, 1322d.

National Guard, debarred from benefits, when, 1351h.

Repealing clause, 331i.

NATIONAL DEFENSES:

Causing insubordination, disloyalty, mutiny, etc., 1317jd.

Conspiracy to violate sections 2 and 3, punishment, 1317de.

Disloyalty, causing, punishment, 1317jd.

General courts-martial jurisdiction not limited by title, 1317ji.

Harboring or concealing persons violating title, punishment, 1317jg.

Information collected or communicated in time of war, punishment, 1317jc.

Insubordination, causing, punishment, 1317jd.

Making false reports to interfere with military forces at war, 1317jd.

Military commission, jurisdiction not limited by title, 1317ji.

Mutiny, causing, punishment, 1317jd.

Obstructing recruiting or reenlistment, punishment, 1317jd.

Obtaining, communicating, etc., unlawful information concerning, penalty, 1317j-1317j.

Places subject to provisions of title, 1317ji.

Penalty for unlawfully obtaining information as to, 1317ja.

Possession or control of property or papers in aid of foreign government, etc., 1317ji.

Preference in transportation of commodities for, 525e, 525f.

Prohibited places, designated by proclamation, 1317jh.

Punishment for communicating information as to foreign governments, 1317jf.

Repeal of national defense secrets act, 1317jk.

NATIONAL FORCES:

See also *Army; Land forces; Military Establishment; Militia; National Army; Volunteer Army.*

Composition, 327, 329a.

NATIONAL GUARD:

See also *Militia.*

Absence, Government employees in, 1331a, 1331b.

ADJUTANTS GENERAL—

District of Columbia, appointment, 1335b.

Duties, 1335a.

Territories, appointment, 1335b.

Age limits, 1322b.

AIDS-DE-CAMP—

Not in Federal service, pay, 1330d.

ANCIENT PRIVILEGES—

Organizations retaining, assignment to higher units, 1327c.

Retention, 1327a, 1553d.

in Time of War, 1327b.

APPROPRIATIONS—

Annual, permanent, 1351a.

Apportionment, 1351b.

Arming, equipping, etc., to constitute one fund, 1355e.

Arms, military supplies, etc., 1355b, 1355c.

Aviation instruction, 1355d.

Encampments, maneuvers, etc., 1328d, 1328d½.

Instruction at Army service schools, etc., 1334c, 1334d.

Instruction camps, 1331g, 1331g½.

Pay contingent on staff appointments, 1330, 1330b.

Pay of National Guard Reserve forbidden, 1325q.

Property and disbursing officers, 1351d-1351g.

Unexpended balances allotted, disposition, 1355f.

Uses, 1351c.

Armament to be same as Army, 1361a.

ARMS—

Appropriation, 1355b, 1355c, 1355f.

Ammunition, field artillery, limitation on purchase, 1364g, 1364h.

Condemned stores, proceeds, not charged to State allotments, 1359d.

Damaged, disposition, 1359b.

Field artillery, material, accounting for, 1364d-1364f.

Field artillery material, limitation on purchase, 1364e, 1364f.

Field artillery, reserve supply, 1364g, 1364h.

Field guns, new, types, 1365a.

Infantry equipment, supplying and exchanging, 1361b-1361d.

Infantry, new, issue and accounting, 1361b, 1361c, 1361d.

Loss due to carelessness, payment, 1359b.

Loss, prior to December 31, 1911, relief from liability, 1359e.

NATIONAL GUARD—Continued.

ARMS—Continued.

Obsolete, replacing, 1359a.

Obsolete, return on receipt of new, 1361c.

Ordinance, cost credited to appropriation, 1358a.

Purchase for, 1358b, 1358c.

Purchased for cash, subject to requisition in time of war, 1366a.

Purchase of Army stores, 1354b.

Refusal to pay for lost or destroyed, penalty, 1359c.

Same as Regular Army, 1361a.

Small arms, new types, 1365a.

Unserviceable, disposal, 1359b.

Army Service Schools, instructions at, 1334c, 1334d.

Brigades, composition in time of war, 357, 356a.

Brigades, organization, 1325i.

Cadets, appointment from enlisted men as, 1139b.

Camps. See this title, *Training.*

Canal Zone, organization, 1321a.

CAVALRY—

Care of horses, 1364i, 1364n.

Horses, issue of condemned Army, 1364j.

Horses, number issued, 1364j, 1364m.

Purchase of horses, 1364i-1364n.

CHAPLAINS—

Not in Federal service, pay of, 1330d.

Chiefs of staff, division, Army officers, 1325k.

COAST ARTILLERY—

Equipment of armories, 1367a.

Composition, 1322b.

Continuous service pay of enlisted men of Army who had commissioned service in, 1043d.

Corps, composition, in time of war, 357, 356a.

COURTS-MARTIAL—

Arrest, issue of warrants for, 1343g.

Constitution, authority, etc., 1343a-1343h.

General, 1343b.

Process, execution, 1343h.

Sentences of confinement, 1343c.

Sentences of dismissal, 1343f.

Special, 1343c.

Summary, 1343d.

Dependent families. See this title, *Support of families.*

DETAILS TO—

as Chiefs of staff, divisions, 1325k.

as Instructors. See this title, *Instructors.*

Disbandment forbidden without consent of President, 1325n.

Disbursing officer. See this title, *Property and disbursing officer.*

DISCHARGE—

Dependent family, transportation home, 1349b.

NATIONAL GUARD—Continued.

DISCHARGE—Continued.

Dependents, enlisted men on account of, 1044b.

by Draft into Federal service, 1339b, 1339l.

Enlisted men in time of peace, 1344e.

Enlisted men, on termination of emergency, 1031h.

Officers for unfitness, 1344k, 1666, 1667.

Travel allowance, 1045b.

DISCIPLINE—

Conform to system for Army, 1331c.

Regulation by President, 1325v.

DISTRICT OF COLUMBIA—

Lease of armory, etc., for, 1372a.

DIVISIONS—

Chiefs of Staff, Army Officers, 1325k.

Composition in time of war, 356a, 357.

Organization, 1325l.

Draft. See *Federal service, under draft*.

Draft, organize, and officer, 1339p, 1339q.

Drills. See this title, *Training*.

Encampments. See this title, *Training; Militia*.

ENLISTED MEN—

Appointment as cadets, 1339b.

Detail for care of horses, 1364l, 1364n.

Discharge. See this title, *Discharge*.

Discharge of, on termination of emergency, 1031h.

Pay. See this title, *Pay*.

Support of families. See this title, *Support of families*.

Training. See this title, *Training*.

ENLISTMENT—

Active service during entire, 1344b.

Age limits, 1322b.

Contract, Federal, 1344c.

Oath. See this title, *Oath*.

Payment from, to date of muster, 1349a.

Period of, 1344a.

Reenlistment, right of, 1344c.

Estimates, 1355a.

Exemptions, 1323a.

FEDERAL SERVICE AS NATIONAL GUARD—

Government employees, restoration to positions, 1339o.

Inspectors of small-arms practice, 1357a.

Organizations with ancient privileges, 1327c.

Physical examination, muster in, 1339f.

Physical examination, muster out, 1339g.

Subject to Articles of War, 1342a.

FEDERAL SERVICE, UNDER DRAFT—

Appointment of officers, 1339c, 1339k-1339n.

Authorized, 1339h.

Become part of Army, 1339b.

Command, precedence, 1339m.

Discharge from militia, 1339b, 1339l.

NATIONAL GUARD—Continued.

FEDERAL SERVICE, UNDER DRAFT—Cont'd.

Draft, organize, and officer, 1339p, 1339q.

Entitled to benefits of National Home for Disabled Volunteer Soldiers, 1502b.

Maximum strength, voluntary enlistment or draft to maintain, 1637.

Military boards, report upon capacity, conduct, etc., of officers, 1666, 1667.

Organize and officer, 1339p.

Organization, 1339k.

Pay and allowances, 1339d.

Pensions, 1339e, 1339j.

Rank of officers in, 1339m, 1339n.

State designation of organizations to be retained, 1339q.

Subject to Articles of War, 1339b.

Use in time of war, 1339a.

Vacancies in grades of officers, how filled, 1344j.

Vacancies made by Army officers appointed in, how filled, 1339l.

FIELD ARTILLERY—

Accounting for material, 1364d-1364f.

Ammunition, reserve supply, 1364g, 1364h.

Care of horses, 1364k, 1364l, 1364n.

Horses, issue of condemned, Army, 1364j.

Horses, number issued, 1364j, 1364n.

Issues of material, 1358b, 1358c.

New type of field guns, 1365a.

Purchase of horses, 1364l-1364n.

Purchase of material, limitation, 1364e, 1364f.

First Corps Cadets, Massachusetts. See this title under *Reserve Officers' Training Corps*.

Government employees in, leaves of absence, 1331a, 1331b.

HOME GUARDS—

Arms and ammunition for, 1361e.

Use of rifle ranges extended to, 1361f.

HORSES—

Care, 1364k, 1364l, 1364n.

Condemned, Army, issue, 1364j.

Purchase, 1364l, 1364m.

Regulations for use, 1364m.

Transfer Army, to organizations of, 1364o.

INFANTRY—

Equipment, supplying and exchanging, 1361b-1361d.

New equipment, 1361b, 1361c, 1361d.

INSPECTIONS—

Annual, by Army officers, 1356a, 1356b.

Details required, 1356a.

Reports basis for executive action, 1356b.

Inspector-instructors. See this title, *Instructors*.

INSPECTORS OF SMALL-ARMS PRACTICE—
Federal service, pay of, 1357a.

Instruction. See this title, *Training*.

NATIONAL GUARD—Continued.

INSTRUCTORS—

- Additional officers for, 929a-929h.
- Additional sergeants for, 1332a.
- Detail from Army, 1332b.
- at Encampments, 1328c.
- Offices, 1333a.
- Temporary promotions in Army due to details as, 1332c-1332f.
- Traveling expenses, 1333b.
- Vacancies in staff due to details as, 1332d.

JOINT MANEUVERS—

- Transportation, reduced rates, 1328e.
- Location of units and headquarters, 1325m.

Maneuvers. See this title *Joint maneuvers*.

MEXICAN BORDER SERVICE—

- Credit to homesteaders, 1272a.
- Militia Bureau. See *Militia Bureau*.
- Militia Division, War Department, abolished, 1337a.

MULES—

- Army, transfer to organizations of, 13640.

National-defense act, applicable to land forces only, 1322c.

National matches, participation, 1331h.

National Militia Board, abolished, 1337a.

Naval Militia. See *Naval Militia*.

NONCOMMISSIONED OFFICERS—

- Additional sergeants for detail to, 1332a.
- Detail as instructors at rifle ranges, 553c.

NUMBER—

- Annual increase required, 1325e.
- Congressional representation, 1325e.
- Early organization of maximum allowed, 1325g.
- Naval Militia counted, 1322d.
- States with one Representative, 1325f, 1325h.

OATH—

- Enlisted men, form, 1344c.
- Enlisted men, required to take, 1344d.
- Officers, form, 1344e.
- Officers, required to take, 1344f.

OFFICERS—

- Appointment of Regular officers in, 1332b.
- Appointment to Army, 331d.
- Appointment when drafted, 1339c, 1339k-1339n.
- Assignment to Militia Bureau, 1337b.
- Board to determine fitness, 1344k, 1666, 1667.
- Colonel, etc., in Federal service, rank in Officers' Reserve Corps; 1536a, 1536b.
- Continuance of present commissions, 1344f.
- Detail as instructors at rifle ranges, 553c.
- Discharge for unfitness, 1334k.

NATIONAL GUARD—Continued.

OFFICERS—Continued.

- Drafted, appointment as National Army officers, 1630.
- Eligible list, 1344h.
- Enlisted men discharged from Army to accept commission as, reenlistment, 1043b-1043d.
- Examinations required, 1344i.
- Former, appointment in Officers' Reserve Corps, 1533a.
- Medical Corps, promotion of first lieutenants to captains, 729d.
- Military boards, report upon conduct, capacity, etc., of, 1666, 1667.
- Oath. See this title, *Oath*.
- Pay. See this title, *Pay*.
- Qualifications, 1344h.
- Retirement of enlisted men of Army, credit for commissioned service in, 1043d.
- Staff, how appointed, 1330l, 1330m.
- Surplus, attached to reserve, 1344i.
- Training. See this title, *Training*.
- Transfer to reserve on own application, 1344l.
- Vacancies caused by temporary appointment in Signal Corps, 879g.
- Vacancies in organizations drafted, filling, 1344j.

ORGANIZATION—

- Ancient privileges, retention, 1327a-1327c, 1553d.
- Commanding officers of completed units, 1325j.
- in Higher units, 1325i.
- Part of Army, when, 329a.
- Regulation by President, 1325a, 1325v.
- Staff corps and departments to correspond to Regular Army, 1325ia.
- in Time of war, 356a, 357.
- of Units, 1325a.

PAY—

- at Army service schools, 1334a-1334c, 1334d.
 - at Army service schools, officers, limited, 1334b.
 - Caretakers of horses, 1364l, 1364n.
 - Disbursements by Quartermaster Corps, 1330j.
 - in Encampments, 1328a, 1328d, 1328d1, 1330a.
 - in Federal service, 1339d.
 - in Federal service from enlistment, 1349a.
 - at Instruction camps, 1331f, 1331g.
 - at Maneuvers, 1328a, 1328d, 1330a.
- NOT IN FEDERAL SERVICE—
- Age, maximum, 1330l.
 - Aids-de-camp, 1330d.
 - Chaplains, 1330d.
 - Enlisted men, drills required, 1330f-1330i.
 - Enlisted men, duty accepted in lieu of drills, 1330i.
 - Enlisted men, parts of year, 1330h.

NATIONAL GUARD—Continued.

NOT IN FEDERAL SERVICE—Continued.

Enlisted men, proportional compensation, 1330g.

Enlisted men, rate, 1330e.

Must be on active list, 1330l.

Officers, rate, 1330b-1330d.

Officers, service required, 1330c.

Persons not entitled, 1330l.

Staff officers, appointment, 1330l, 1330m.

Staff officers, rate, 1330d.

Stoppages, 1330k.

at Target practice, 1328a, 1328d, 1330a.

When paid, 1330j.

Pensions, 1339e, 1339j.

President to prescribe organizations, 1325a, 1325v.

PRINTING AND BINDING—

Procurement by contracts, etc., during hostilities, 112b-112d.

Property. See this title, *Arms*.

PROPERTY AND DISBURSING OFFICERS—

Duties, 1351d.

Inspection of accounts, 1351f.

Pay, 1351d.

Regulations, 1351g.

Travel expenses, 1351e.

Purchases from Army supply departments, conditions, 1354a, 1354b, 1366a.

Reserve. See *National Guard Reserve*.

Rifle teams in national matches, 1331h.

Sale of horses and mules not required for, 538a.

SCHOOLS—

Army service, instructions at, 1334a-1334d.

Staff Corps. See this title, *Organization*.

STAFF CORPS AND DEPARTMENTS—

Correspond to those of Regular Army, 1325a $\frac{1}{2}$.

Staff departments. See this title, *Organization*.

STATES—

Debarred from benefits, when, 1351h.

Designation of organization to be retained after draft, 1339q.

Location of units, 1325m.

Other troops forbidden, 1325b.

Police or constabulary authorized, 1325d.

Use of National Guard, 1325c.

Stations, mobilization, supply, and training, reports on needs, 1274c.

SUPPORT OF FAMILIES—

Action of Secretary of War final, 1347b.

Allotments. See *Allotments of pay*.

Appropriation, 1347a, 1347e, 1347f.

Discharge on account of dependents, 1044b.

Enlistments after call, 1347d.

Family allowances. See *Family allowances*.

Family defined, 1347c.

NATIONAL GUARD—Continued.

SUPPORT OF FAMILIES—Continued.

Marriage restrictions, etc., 1347c.

Time limit for filing applications for, 1347f.

TARGET RANGES—

Appraisal of land and method of sale, 1281b.

Expenses of sale and disposition of proceeds, 1281c.

Sale of land purchased for, 1281a.

Territories, 1321a.

TRAINING—

See also *Reserve Officers' Training Corps*.

at Army service schools, 1334a, 1334c, 1334d.

Aviation, appropriation, 1355d.

Drills, minimum, attendance, 1331e.

Drills, minimum number, 1331d.

Drills, minimum period, 1331e.

Encampments—

Allotment for expenses, 1328a.

Appropriations, 1328d, 1328d $\frac{1}{2}$, 1328f.

Command by Army officers, 1328b.

Corps with ancient privileges assigned to higher units during, 1327c.

Detail of instructors, 1328c.

Regular Army participation, 1328a.

Transportation rates, carriers may reduce, 1328e.

When Army can not join, 1328f.

Government employees, leaves of absence, 1331a, 1331b.

Instruction camps, 1331f, 1331g, 1331g $\frac{1}{2}$.

at Military posts, 1334a.

TRANSPORTATION—

Carriers may reduce rates for encampments, 1328e.

Discharged, dependent family, 1349b.

Rifle teams, to national matches, 1331h.

Uniform, wearing of specified, 1010b, 1010c.

Use by States and Territories, 1325c.

NATIONAL GUARD RESERVE:

Composition, 1325o.

Discharge on account of dependents, 1044b.

Draft into service of United States, 1339p.

Furlough of enlisted men to, 1344a, 1344b.

Officer and organize, drafted into Federal service, 1339p.

Officers placed in, on application, 1344l.

Officers, surplus, attached to, 1344l.

Organize and officer, drafted into Federal service, 1339p.

Pay, in general, 1325q.

Pay while in training, 1325p.

RESERVE BATTALIONS—

Composition, 1325r.

Disabled persons attached, 1325u.

NATIONAL GUARD RESERVE—Cont'd.

RESERVE BATTALIONS—Continued.

Drafts to fill, 1325t.

Officers, how procured, 1325u.

Organization in higher units, 1325s.

Transfers to organizations in field, 1325u.

NATIONAL HOMES FOR DISABLED VOLUNTEER SOLDIERS:

See also *Soldiers' Home*.

Branches which can be discontinued, 1502a.

Insane of, disposition, 1526.

Inspection by Inspector General, 463, 463½.

Obsolete cannon may be furnished, 160, 850.

Persons entitled to benefits, 1502b.

Receipts and disbursements, inspection, 463.

NATIONAL MILITARY PARKS:

See also *Military posts; National parks*.

Camps for military instruction, 1297.

Fields for joint maneuvers, 1296.

Regulations for maneuvers upon, 1296.

NATIONAL MILITIA BOARD:

Abolished, 1337a.

NATIONAL MONUMENTS:

Landmarks, etc., may be declared, 1285.

NATIONAL MUSEUM:

Transportation of property for, 532.

NATIONAL NAVAL VOLUNTEERS:

Included in military or naval forces, when, 1483ee.

NATIONAL PARKS:

See also *National military parks*.

Detail of troops for protection, 1300, 1301.

Rights of way over, revocation, 1282.

NATIONAL QUARANTINE. See *Quarantine*.

NATIONAL RIFLE MATCH:

Rations to certain competitors, 611a.

NATIONAL TROPHY:

See *Trophy, National*.

NATIVE ORGANIZATIONS:

See also *Philippine Scouts; Porto Rico Regiment*.

Pay of enlisted men, limitation upon, 338.

Pay of provisional officers, 338.

NATURALIZATION:

See also *Citizenship*.

of Alien enemies not admitted to citizenship, 1064a.

of Aliens honorably discharged from Army, 1064.

of Alien seamen on United States merchant vessels, 1066.

of Aliens honorably discharged from Navy or Marine Corps, 1065.

NAVAL APPROPRIATION ACTS:

Contracts under, eight-hour law to govern, 1228, 1230.

NAVAL DETACHMENTS:

on Shore duty, equipage, rations, 304a, 304b, 517, 590.

NAVAL FORCES:

Property captured on inland waters, 1429, 1430.

NAVAL MILITIA:

Counted in required number of National Guard, 1322d.

National defense act not applicable to, 1322c.

Part of militia, 1322a.

Uniform, permitted to wear, 1010b.

NAVAL RESERVE:

Included in military or naval forces, when, 1483ee.

NAVIGABLE WATERS:

Regulate transportation of explosives over prescribed areas, 1315c, 1315d.

Regulation of use, injury from Coast Artillery target practice, 1315c, 1315d.

NAVY:

Deceased officers and men, accounts, 1060.

Detachments on shore duty, equipage, etc., 517.

Detachments on shore duty, rations, 304a, 304b, 590.

Detail of officers to inspect transports, 306.

Enlisted men, transfer to Navy from Army, 1036.

Loan of sanitary equipment to Red Cross, 775b, 775c.

Medical officers and enlisted men on shore duty subject to Articles of War, 305a.

Officers, appointment in Corps of Engineers, 766a.

Officers may purchase ordnance property, 843.

Officers, purchase of subsistence, 588b.

Officers, relative rank with Army, 352.

Paymaster's clerks, 630.

Purchase of Army stores by Navy personnel, 588.

Purchase of Quartermaster supplies by officers of, 588a.

Sale of stores to Army personnel, 588.

Surgeons, service with Bureau of War-Risk Insurance, 1483g.

NAVY DEPARTMENT:

Cooperation of, in standardizing gauges, etc., 1611a.

NAVY NURSE CORPS:

Entitled to insurance, 1483eece.

Female, death and disability compensation, 1483xxx.

NAVY YARD:

Entering to obtain unlawful information concerning, penalty, 1317½-1317¾.

NEGRO TROOPS. See *Colored troops*.

NEUTRALITY:

See also *Espionage; Foreign commerce; Foreign Governments; Foreign languages; Foreign relations, etc.*

Acceptance of commission from belligerent, 1467.

NEUTRALITY—Continued.

Armed vessels, sending out with intent to deliver to belligerents, 1469q.
Arming vessels for belligerent power, 1469.

ARMS, ETC.,—INTENDED FOR EXPORT—

Application for warrant after seizure, 1475d.
Authority to make seizures, 1475c.
Bond for redelivery of property seized, 1475i.
Custody of property seized, 1475e.
Enforcement of title, employment of military force, 1475l.
Forfeiture to United States, 1475c $\frac{1}{2}$.
Issue of warrant covering property seized, 1475d.
Label of property seized, 1475g.
Operation of title as to other property, 1475j.
Petition for restoration after seizure, hearing, 1475f.
Procedure on petition of owner, etc., in libel, 1475h.
Release of property on payment of costs, 1475k.
Sale of property seized, 1475g.
Augmenting force of belligerent vessels, 1470.
Clearance to vessel may be refused, 1469a, 1469c.
Compelling foreign vessels to depart, 1473, 1473a.
Detention of armed vessels, 1469p.
Employment of military force in enforcing, 1469g, 1469v, 1472, 1472b.
Enlisting in foreign service, punishment exception, 1468a, 1468b.
Enlisting in United States in belligerent army, 1468, 1468a, 1468b, 1474.
Enlistment, subjects, etc., to war against country with which United States is at war, 1468b.
Expulsion of armed vessel, 1473, 1473a.
Forbidding departure of vessels, when, 1469s.

GENERAL PROVISIONS, TITLES RELATING TO—

Effect of partial invalidity of act, 1475t.
Jurisdiction of offenses, 1475r.
Prosecutions under prior laws, repealed, 1475s.
United States defined, 1475c.
Imports during foreign war, prohibition, 1469c.
Interned belligerent leaving jurisdiction, punishment, 1469n.
Military expedition, starting in United States, penalty, 1471, 1471a, 1472.
Organizing military expedition against friendly power, punishment, 1471, 1471a.
Proclamation against shipment of arms, 1475.
Repeal of resolution of March 4, 1915, 1469w.

NEUTRALITY—Continued.

Statement that cargo will not be delivered to other vessels, etc., 1469r.
Unlawful taking of vessel out of port, punishment, 1469t.
Vessels departing without clearance, penalty, 1469b, 1469f, 1472a, 1472b.
Vessels discriminating against American citizens, 1469d, 1469e.
Vessels in ports of United States. See *Vessels*.
Withholding clearance papers from vessels, 1469o.

NEW MEXICO:

Peonage abolished, 1455, 1456.

NEWSPAPERS:

See also *Mail matter*; *Mails*; *Periodicals*.
Advertisements in. See *Advertising*.
Advocating treason, nonmailable, 253c.
Expenditures for, by executive departments, 76 77.

FOREIGN LANGUAGES—

Copies of permits and revocations, 253j.
Filing translation before mailing, 253g, 253k.
Matters unlawful to be published in, 253f.
Nonmailable, when, 253h.
Permits to publish, 253i.
Punishment, affidavit containing false statement, 253k.
Under permit to bear certificate as to, 253j.
Nonmailable matter, when, 253a.
Subscriptions, certain, paid in advance, 520, 801, 1083a, 1178a.
Subscriptions for Coast Artillery, 1683a.
Subscriptions for Corps of Engineers, 801.
Subscriptions for Military Academy, 1178a.
Subscriptions from quartermaster funds, 520.

NITRATE OF SODA:

See also *Nitrate plants*.
Acquisition and sale of stocks, 1767.
Agencies as to, 1768.
Appropriation, 1626, 1768.
Moneys received from sales of, disposition, 1769.
Regulations as to, 1768.

NITRATE PLANTS:

See also *Nitrate of soda*.
Acquisition of lands, 1623.
Appropriation of lands, 1623.
Disposal of surplus, 1624.
Government use of products, 1624.
Hydroelectric sites, 1622.
Investigation of processes, 1622.
Officers and employees, 1625.
Operation solely by Government, 1627.
Panama Canal bonds, redemption, 1629.
Panama Canal bonds, sale for funds, 1628.

NOMINATIONS:

List of confirmed, etc., to accounting officers, 11.

NONCOMMISSIONED OFFICERS:

See also *Enlisted men*. For a particular class of noncommissioned officers see the specific title.

Additional, for details, 1332a, 1561.

After retirement, details to schools, etc., 946.

Defined as to allotments, allowances, etc., 1483z.

Detachment. See *Detachments*.

Detail. See *Details*.

Pay, 695.

Promotion to second lieutenant, 919.

Reenlistment with rank of discharge, 1034a.

Retired, detail at colleges, etc., 946.

Retirement, after 30 years' service, 713.

NORMAL SCHOOLS FOR INDIANS:

See *Indian education*.

NORTH ISLAND, CAL.:

AVIATION STATIONS—

Appropriation for payment of award, 1274j.

Award for, distribution, 1274j.

Commandeering lands for, 1274g.

Examination of title waived, 1274g.

Payment into court, value of private rights, 1274i.

Possession taken, 1274g.

Procedure to determine rights of private parties, 1274h.

Requisitioning lands for, 1274g.

NOTARY PUBLIC:

Army officers in foreign places who have general powers of, 114th A. W.

NOTE:

See *Trading with enemy*.

NURSE CORPS:

See also *Hospital Corps*.

Army entitled to insurance, 1483cccc.

Commutation of quarters, 668a, 668b.

Commutation of rations, 611b, 611c.

Compensation for death or disability, when entitled to, 1483kk.

Composition, 769.

Cumulative leave, 771, 772.

Death or disability, military and naval compensation for, 1483xxx.

Hospital matrons. See *Hospital matrons*.

Military and naval compensation for death or disability, 1483xxx.

Navy, female. See *Navy Nurse Corps*.

NURSES—

Additional pay, limitation on, 771.

Appointment by Surgeon General, 769.

Burial in national cemeteries, 1309.

Cumulative leave, 771, 772.

Extra, employment of, 777.

Number, 769.

Pay, 771.

Qualifications, 769.

Quarters, commutation, 668a, 668b.

Rations, commutation, 611b, 611c, 612.

NURSE CORPS—Continued.

NURSES—Continued.

Rations in post or regimental hospitals, 598.

Rations, while on leave of absence, 611, 611b, 611c.

Removal, by Surgeon General, 769.

Reserve nurses, assignment to duty, 769.

Traveling expenses, allowance for, 772j.

Organization, 769.

Part of Medical Department, 728a.

PAY—

Longevity pay, 771.

of Superintendent and nurses, 769, 771.

SUPERINTENDENT—

Allowances, 770, 770a.

Cumulative leave, 772.

Pay, 769, 771.

NURSES:

See also *Nurse Corps*.

Rations, commutation, 611b.

OATHS:

of a particular officer, see the officer.

See also *Articles of War*.

Affidavit, persons in armed forces as to homestead entry, 1272i.

Authority to administer to American citizens, 205s.

Before whom may be taken, 63, 114th A. W.

of Cadets, Military Academy, form, 1150.

Commissioners, military and naval insurance, authorized to administer, 1483i.

to Clothing accounts, who may administer, 153.

Deputy commissioners, military and naval insurance, authorized to administer, 1483i.

Director, Bureau of War Risk Insurance, authorized to administer, 1483i.

Employees not compensated for administering, 57, 58.

Form of oath of office, 59, 60.

by Investigating boards or officers, 64.

Judge advocates to administer certain, 473, 114th A. W.

Mustering officers, administer in mustering out volunteers, 1383i.

National Guard. See *National Guard*.

of Office of employees, disposition, 61.

of Office of employees, residing in foreign countries, 205j.

of Office, who may administer, 62.

Officers with general powers of notary public in foreign places, 114th A. W.

in Postal Service before military officers, 250.

Summary court officers may administer, 473, 114th A. W.

to Travel accounts, who may administer, 65.

OBSERVERS:

- Additional pay for qualifying as, 699, 699a.
- of Foreign armies in field, expenses of, 673a.
- Number, not to be increased, 700.

OFFICE:

- of a particular officer, *see the officer*.
- Conspiring to prevent person holding, 1445.
- Disqualification for holding, 130.
- Holding two offices prohibited, exceptions, 169, 169a, 169b, 990.
- Oath of. *See Oaths*.
- Officers accepting civil. *See Officers, Army*.
- Recess appointments, confirmation, 168.
- no Salary unless office exists, etc., 167.

OFFICERS. *See the officer or the service in which engaged.*

- Army. *See Officers, Army*.
- Employees and, militia leave, 1331a, 1331b.
- Militia. *See Militia*.
- Prohibited holding two offices, exception, 169, 169a, 169b, 990.
- Prohibited receiving two salaries in excess of \$2,000, exceptions, 169a, 169b.
- Recess appointments, 8.
- of Volunteers. *See Volunteer Army*.

OFFICERS, ARMY:

- for a particular class of officers, *see the specific title*.

ABSENCE—

- In confinement more than 3 months, 993.
- Intemperate habits or misconduct, 666.
- Leave, credit for volunteer service, 664.
- Leave, cumulative for 4 years, 662.
- Leave, in Philippines without return to United States, 665.
- Leave, while outside United States, when deemed to commence, 663.
- Sickness, wounds, etc., 661.
- Temporarily in field, right to quarters, 552.
- Without leave, dropped as deserter, 992, 993.
- Without leave, pay forfeited, 667.

ADDITIONAL—

- Colonels of Cavalry and Infantry, National Army, 1630.
- National-defense act, effect on, 1106a.
- Part of Regular Army, 331a.
- Vacancies caused by increase, 331c $\frac{1}{2}$.

Allotments of Pay. *See Pay of officers*.**ALLOWANCES—**

- See also Pay of Army*.
- Fuel, quarters and forage, 651a.
- Heat and light restricted, 556.
- Restricted to those provided, 651.

APPOINTMENTS—

- from Civil life, age, etc., 331d, 331d $\frac{1}{2}$, 331a.
- by Commission in arm of service, 926.

OFFICERS, Army—Continued.**APPOINTMENTS—Continued.**

- Dismissal by court-martial disqualifies, 991.
- of Enlisted men after examination, 919-923, 331d.
- Examining board to determine fitness, 921.
- of Honor graduates of colleges, 331d.
- of Honorably discharged cadets, 1162d.
- Limitation, number of, increased in certain arms, 331b $\frac{1}{2}$.
- from Military Academy, 918.
- National Army, 1630.
- of National Guard officers, age, etc., 331d.
- of Noncommissioned officers, 919, 331d.
- from Officers' Reserve Corps, age, etc., 331d.
- Order and method, 918.
- from Philippine Scouts' officers, 331d.
- Provisional, 918a.
- Provisional, termination of, 331c $\frac{1}{2}$.
- Qualifications, 918b.
- Qualifications, from civil life, 918, 331d.
- Qualifications, from enlisted men, 920, 331d.
- Recommission of former officers, 931a.
- to Staff Corps. *See Staff departments*.
- Temporary, organization of increments, period of, 1665.
- Temporary, vacancies not filled by promotion, 331c $\frac{1}{2}$.
- Vacancies, grade of second lieutenant, order of, 331d, 331d $\frac{1}{2}$.
- Waiver, age limit of candidates for second lieutenant, 331d $\frac{1}{2}$.

ASSIGNMENTS—

- See also Details*.
- One regiment to another in all arms, 935.

Badges. *See Badges*.**BAGGAGE—**

- Lost in military service, 217, 217a.
- Brevet rank. *See Brevet rank*.
- Cadet service, credit for. *See pay of Army; Retirement, Army*.

CERTIFICATES—

- of Discharge, replacing lost, 1047.
- of Eligibility. *See Certificates of eligibility*.

Citizens, qualified as, roster, 1573.**CIVIL OFFICE—**

- Accepting or holding, vacates commission, 995.
- Diplomatic or consular, acceptance of, 997.
- Prohibited being elected to, or holding, 960.

CLAIMS OF—

- Accounting officers may remove stoppage, 641.
- Deductions from, for attorney's fees, 219.

OFFICERS, Army—Continued.

CLAIMS OF—Continued.

for Private property lost, etc., 217, 217a.

COMMISSIONED—

Defined as to compensation, insurance, etc., 1483y.

Warrant officers, certain included as to compensation, insurance, etc., 1483y.

COMMISSIONS—

Delivery, 9.

In National Guard, 1332b.

Recorded and sealed, 925.

to Show appointment in an arm, 926.

In Volunteers before Officers' Reserve Corps, 1551.

Commutation of quarters. See *Quarters, Army*.

COURT-MARTIAL—

See also *Courts-martial*.

Exempted from trial by special, 13, A. W.

DECEASED—

See also *Articles of War*.

Expenses of interment, 1063.

Payment to beneficiary, 1061, 1062.

Settling accounts, method of, 1059, 1060.

Detached. See *Detached officers' list*.

Detached service. See *Detached service*.

Details. See *Details*.

DISABILITIES—

Civil office. See this title, *Civil office*.

Claims against United States, assisting prosecution, 430.

DISCHARGE—

Appointment of former, in Officers' Reserve Corps, 1533a.

Effect on death or disability compensation, 1483ooo.

Evidence of honorable, to be returned, 214.

Honorable, title and uniform, 1008.

Provisional, 331c.

Saving clause, national-defense act, 331b.

DISMISSED—

by Court-martial, reappointment, 991.
may Demand trial by court-martial, 994.

In Time of peace, only by courts-martial, 992.

Duties. See this title, *Powers and duties*.

EXAMINATIONS—

for Appointment. See this title, *Appointments*.

for Promotion. See this title, *Promotions*.

Physical. Return to active duty, 958g.

Forage. See *Forage*.

FOREIGN ARMIES—

Serving with Aviation Section, mileage for, 889yy.

Travelling expenses while attached to U. S. Army, 673b.

Foreign decorations. See *Foreign decorations*.

OFFICERS, Army—Continued.

Fuel. See *Fuel*.

GENERAL OFFICER OF LINE—

Advanced for Panama service, 927k.

Appointment in time of peace, 350c.

Appointment of generals, number, 350d.

Appointment of lieutenant generals, number, 350d.

Assistants to Chief of Staff shall be, 366f.

Chief of Staff shall be, 366f.

Definition, 350a.

National Army, temporary appointment, 1663, 1664.

National Army, vacancies in Regular Army caused by, 1664.

Number, 350b.

Selection of appointees, 1663a.

GENERAL OFFICER OF STAFF—

Appointment, Signal Corps and Aviation Section, 879f.

Definition, 350a.

Heat and light. See *Heat and light*.

Hospitals. See this title *Medical care*.

INDEBTED TO UNITED STATES—

Pay may be withheld, 694.

Medals, bronze. See *Medals*.

Medals of honor. See *Medals of honor*.

MEDICAL CARE—

Employment of extra nurses, 777.

In Private hospitals, 776, 776a, 776b, 776d.

Mileage. See *Mileage*.

MOUNTED—

Additional pay to those who provide mounts, 637.

Purchase of horses, ordered beyond seas, 558.

National Army. See *National Army*.

Noncommissioned. See *Noncommissioned officers*.

Number, increase by increments, 331b.

Oath of Office, 59, 60.

OFFENSES—

Claims against United States, accepting interest in, 430.

Embezzlement of public money, 428, 94 A. W.

Making false certificate, 429, 94 A. W.

PATENTS—

Granted without payment of fees, 863.

Pay. See *Pay of officers*.

Pensions. See *Pensions*.

of Philippine Scouts. See *Philippine Scouts*.

of Porto Rico Regiment. See *Porto Rico Regiment*.

POWERS AND DUTIES—

See also *throughout this title*.

Beneficiary to be designated, 1061, 1062.

Civil works, employment on, 996.

Elections, interference, penalty, 1457-1461.

as Indian agents, 940, 1396-1399.

Inspection of National Guard, 1356a, 1356b.

OFFICERS, Army—Continued.

POWERS AND DUTIES—Continued.

Oaths, certain with powers of notary while with Army in foreign places, 114th A. W.

Postal Service, may administer oath, 250.

Report death of grantor of allotment, 712.

Returns, quarterly, of equipment, 573.
Returns of Signal property, 901.

PROMOTIONS—

All below major to take examination, 930, 930a.

of Appointees from civil life, 931, 932.

of Appointees from volunteers, 931, 932.

of Certain, for service with Panama Canal, 927b, 927e, 927h, 927i.

Due to increased personnel, 331b.

Equalization, additional colonels, 929i.

Equalization by transfers, 935a.

Examinations for majors and lieutenant colonels, 930b.

Examinations, required of whom, 930a.

Failure to pass examinations, effect, 930.

Failure on reexamination, 930.

of General officers, restriction, 972.

Limitation, number of increased in certain arms, 331b4.

Medical Corps, first lieutenants as captains, 729d.

Regimental, act to correct loss by, 929.

Reorganization act, vacancies caused by, 1101.

by Seniority in particular arm, 928.

Seniority to govern in making, 927, 987.

Subject to examination, 933.

Temporary, 1332c-1332f, 1389.

Provisional, appointment and duration, 918a.

Provisional, dismissal, 331c3.

Quarters. See *Quarters, Army*.

RANK—

See also *Rank, Army*.

Allowance for loss of files by increase in Army, etc., 931b.

by Brevet. See *Brevet rank*.

Commissioned service in Marine Corps considered in determining, 353a.

Precedence over drafted officers, 1339m, 1339n.

Relative, of Army and Navy, 352.

Relative, of same grade, 353.

Relative, reorganization act, not to change, 1102.

of Resigned and discharged, 1008.

Recommissioning of former officer, 931a.

Recommissioning of former, 931a.
Regimental promotion. See this title, *Promotions*.

Regulating sale of alcoholic liquors to, 1295a-1295d.

Reserve. See *Officers' Reserve Corps*.

OFFICERS, Army—Continued.

RESIGNED—

Recommissioning of, 931a.

Title and uniform, 1008.

Retirement. See *Retirement, Army*.

SALES TO—

of Commissary stores, 405.

of Naval stores, etc., 588.

of Subsistence stores. See *Subsistence Department*.

SERVANTS—

Enlisted men not to act as, 1068.

Quarters for, not allowed, 670.

of Staff Corps. See *Staff departments*.

Staff duty, appointment to, without creating vacancy, 361.

Supernumerary. See *Supernumerary officers*.

Temporary promotions, 331c3, 1332c.

Thanks of Congress tendered certain, 927a.

Tour of duty in Philippine Islands and Canal Zone, limit of, 330a.

TRANSFERS—

See also *Details*.

to Corps of Engineers, 786a.

from Line to staff, rank in line, 934.

One regiment to another in all arms, 935.

One regiment to another, to equalize promotions, 935a.

from Porto Rico Regiment, 345f.

Transportation. See *Transportation*.

Traveling expenses. See *Travel*.

Uniform. See *Uniform, Army*.

VACANCIES—

Accepting higher grade in National Army, 1604.

Caused by appointment of general officers, National Army, 1604.

Caused by details to Staff Corps, how filled, 366a, 383.

Caused by immediate organization of all increments, 331c3.

Caused by militia detail, how filled, 1333.

Caused by national defense act, how filled, 331b, 331d-331g.

Caused by reorganization act, 1101.

Caused by retirement, 987.

Caused by temporary appointment in Signal Corps, 879g.

in Second Lieutenant's grade, how filled, 922, 331d, 918a.

Temporary, 1389, 1332c-1332f.

OFFICERS' CLUBS:

Sale of alcoholic liquors at, 1295b.

OFFICERS, MILITIA. See *Militia*.OFFICERS, NATIONAL GUARD. See *National Guard*.

OFFICERS' RESERVE CORPS:

Absence. See this title, *Leaves of absence*.

ACTIVE DUTY—

District of Columbia employees, restoration to positions, 1544a.

OFFICERS RESERVE CORPS—Cont'd.

ACTIVE DUTY—Continued.

Government employees, restoration to positions, 1544a.

Recommission if called in lower grade, 1536b.

Age limit, suspension as to discharge on reaching, 1537a.

APPOINTMENT—

Age limit, 1537, 1537a.

Age limit, staff officers, 1538.

Colonels and lieutenant colonels, 1536.

Former officer of National Guard, 1533a.

Former officer of Organized Militia, 1533a.

Former officer of Regular Army, 1533a.

Former officer of Volunteer Army, 1533a.

Grades, 1533.

Graduates of colleges, prior, 1569.

Members of, in National Guard, 1630. by President alone, 1533.

Reappointment, 1542.

Registered eligibles, 1535, 1536.

from Reserve Officers' Training Corps, 1565.

from Reserve Officers' Training Corps, postgraduates, 1566.

Staff departments, designated, with certain grades, 1532a.

Term, 1541, 1542.

Army, appointment as second lieutenant in, 331d.

ASSIGNMENT TO DUTY—

with Enlisted Reserve Corps units, 1585.

General conditions, 1532.

for Instruction, 1548, 1549.

Temporary, 1630.

as Temporary second lieutenant, 1570.

in Time of war, 1544, 1572, 1630.

in Volunteers, no priority over Army officers, 1551.

AVIATION SECTION—

Pay in active service, 889cc, 879f, 879k.

Citizens designated for training for, pay of, 1574b.

Colonels, 1536.

Commission, term, 1541, 1542.

Continuous service pay, enlisted men of Army who had commissioned service in, 1043d.

Discharge, honorable, 1537.

Discharge on reaching age limit, suspension of, 1537a.

Field Artillery, war units, 1090b.

Grades, proportion, 1534.

Grades, recommission if called for service in lower, 1536b.

INSTRUCTION—

Annual period, 1548.

Annual period, extension, 1549.

as Temporary second lieutenants, 1570.

Leaves of Absence—

District of Columbia employees, 1549a.

Government employees, 1549a.

Lieutenant colonels, 1536.

OFFICERS RESERVE CORPS—Cont'd.

MEDICAL SECTION—

Duty in time of peace, 1540.

Medical Reserve Corps, abolishment of, 1539.

Medical Reserve Corps, officers, appointment in, 1539.

Organization, 1532.

Organization and training, voluntary service in connection with, 1544b.

Part of Army of United States, 329a.

PAY—

for Instruction, 1548.

as Temporary second lieutenant, 1570. in War, 1544.

Pensions, 1546.

Promotion in time of war, 1545.

RANK—

Active, among themselves, 1545.

Active, in Army, 1544.

Colonels and lieutenant colonels, 1536, 1536a, 1536b.

Colonels, etc., in National Guard in Federal service, 1536a, 1536b.

Inactive, 1543.

Recommission, if called for service in lower grade, 1536b.

Retirement, not entitled to, 1546, 1571.

Service in, not counted by Regular officer, 1552.

Staff departments, appointments to certain, 1532a.

Subject to Articles of War, when, 1547, 1572.

Retirement of enlisted men, credit for commissioned service in, 1043d.

Training. See this title *Organization and training*.

Training, pay of citizens designated for, 1574b.

Voluntary service, acceptance from members of, 1544b.

OFFICERS, WARRANT:

See *Warrant officers*.

"OFFICIAL BUSINESS":

Borne on free mail matter, 252.

OFFICIAL LETTERS. See *Mail matter*.OFFICIAL PASS. See *Pass*.OFFICIAL PERMIT. See *Pass*.

OFFICIAL REGISTER:

Data as to salaries, etc., for, 111.

Data for, furnished Director of Census, 105.

OIL PIPE LINES:

See *Food and fuel conservation*.

Commandeering or requisitioning for military purposes, 1708-1713.

OPEN MARKET:

Army supplies, purchase in, 1198-1200.

Executive departments, purchases in, 1196.

Horses may be purchased in, 541, 542.

Printing and binding for army, etc., during emergency, 112b-112d.

OPEN MARKET—Continued.

- Purchase of subsistence stores in, 589.
- Purchases from Indians in, 1240.
- Supplies or services outside District of Columbia, limitation, 1196a.

OPINIONS:

- of Attorney General. See *Attorney General*.
- of Heads of departments, 2.

ORDNANCE:

See also *Ordnance Department*.

Ammunition. See *Ammunition*.

APPROPRIATIONS—

See also *Ordnance Department*.

Available two years, 831.

Expenses of manufacture to be pro-rated, 861.

Freight not to be paid from, on issues of, 848.

Payment of pressing obligations from, 832.

Purchases in excess of, limitation, 1190a.

for Tests of gun carriages, 878.

Cannon. See *Cannon*.

DEPOTS—

Chief of Ordnance may establish, 825.

Exchange of unserviceable powder and shot, 837.

Guns. See *Cannon*.

IRON AND STEEL—

Board for testing. See *Ordnance Department*.

Machine for testing, 866.

ISSUES—

See also *Educational Institutions*.

Colleges and universities, 942, 950-955, 951a-951c, 953a, 954a-954d, 955a, 955b.

of Condemned, to patriotic organizations, regulations, 849a, 849b.

Freight not paid by Government, 848.

Militia. See *Militia*.

to National Guard. See *National Guard*.

Obsolete, to national homes, 850.

Reserve Officers' Training Corps, 1662, 1663.

Schools and rifle clubs, 954a, 954b, 1662, 1663.

of Small-arms material to schools, 955, 955a, 1662, 1663.

State soldiers' and sailors' orphans' homes, 951c, 954, 955.

Washington high schools, 953a.

LOANS OR GIFTS—

of Condemned, to Grand Army of the Republic, etc., 849.

Property. See *this title generally*.

PURCHASES—

of Articles involving secret process, 829.

In Excess of appropriations, 1190a.

for Executive departments, reimbursement, 830.

Reference to materials of American manufacture, 1234, 1234a.

ORDNANCE—Continued.

RETURNS—

by Chief of Ordnance, 833.

Semiannual by officers, etc., 834.

SAFE-KEEPING OF—

Regulations to be prescribed, 835.

SALES—

to American designers, 846.

to American Red Cross, 844.

of Armament for sentimental reasons, 845.

of Cannon. See *Cannon*.

to Civilian employees of Army, 844.

to Cuba, 844a.

to Educational institutions, 951a, 951b, 951c.

or Exchange of unserviceable powder and shot, 837.

to Executive departments, 842.

of Obsolete to patriotic organizations, 839.

to Officers of Navy and Marine Corps, 843.

Proceeds available for replacing, 838, 846.

of Unserviceable powder and shot, 837.

Sergeants. See *Ordnance Department*;
Enlisted personnel.

Stores. See *this title generally*.

ORDNANCE BUREAU:

Pay of principal assistant in, 817.

ORDNANCE DEPARTMENT:

See also *Chief of Ordnance*.

APPROPRIATIONS—

Available for payment of expenses of employees, 857a, 857b.

Collections for damages credited to proper, 845.

Cost of ordnance issued to militia credited to, 1358a.

Mileage for officers, 688b.

for Ordnance. See *Ordnance*.

Armories and arsenals. See *Armories and arsenals*.

Artificers, detail of, 822.

Board of Ordnance and Fortifications.
See *Ordnance and Fortifications, Board of*.

BOARD FOR TESTING IRON AND STEEL—

Compensation, 867.

Composition, 866.

Record of tests, publication, 869.

Testing machines, 866.

Tests for private parties, may make, 868, 869.

Bureau, principal assistant, 817.

Cannon. See *Cannon*.

Chief of Ordnance, rank, pay and allowances, 373a, 809a.

CIVILIAN EMPLOYEES—

Allowance when traveling, 857a, 857b.

Serving abroad, accrued leaves of absence, 857i.

Springfield Armory, salary, 857c.

Clothing allowance for sergeants, 575.

Composition, 809, 809a.

ORDNANCE DEPARTMENT—Continued.

CONTRACTS—

- Reduced to writing in certain cases, 826.
- for Steel after advertisement, 827.

DISBURSING OFFICERS—

- Payment of pressing obligations, 832.
- Draftsmen, employment of, 818.

EMPLOYEES—

- of Arsenals. See *Armories and arsenals*.
- Leaves of absence to, 857d-857h.
- Office of storekeeper to lapse, 512.
- Repeal of provision for monthly pay, 854b.

ENLISTED PERSONNEL—

- Composition and number, 821.
- Detail as artificers, 822.
- Extra-duty pay, not to receive, 562.
- Ordnance sergeants at each military post, 819.
- Ordnance sergeants, clothing allowance, 575.
- Ordnance sergeants, commutation of rations, 611.
- Ordnance sergeants, qualifications, 820, 820a.
- Ordnance sergeants, returns of ordnance by, 834.
- Land purchased for, examination of title waived, 1274p.
- Master armorer, Springfield Armory, compensation, 854a.

OFFICERS—

- Assigned to staff duty, rank and pay, 816.
- Chief, rank, pay and allowances, 373a, 809a.
- Commanding, to report bimonthly, 836.
- Composition, 809, 809a, 809b.
- Detailed, Manchu law not applicable, 384, 813a, 937.
- Details of student officers, 813b.
- Detail, term, etc., 812, 812a, 813, 813a.
- Designate other officers to disburse public moneys, 832a.
- Examinations for detail in, 814.
- Increments, immediate increase authorized, 809b.
- Majors, detail of, irrespective of continuous service in, 813a.
- Mileage, appropriation available for, 688b.
- Per diem expenses, at proving ground, 825b.
- Promotion of lieutenants, 386, 787.
- Promotions, according to seniority, 811.
- Promotions made after examination, 810.
- Quarters, brick house at proving ground, 825a.
- Rank from original detail, 815.
- Term of detail, 813.
- Vacancies filled by details, 812-815, 936, 813a.

ORDNANCE DEPARTMENT—Continued.

OFFICERS—Continued.

- Operation of munition plants in time of war, 1601.
- Ordnance, sale, etc. See *Ordnance*.
- Organization, 809, 809a, 809b.
- Part of Regular Army, 331a.

PATENTS—

- to Officers without payment of fees, 863.

PURCHASES—

- of Articles involving secret process, 829.
- for Executive department, reimbursement, 830.
- of Material abroad, free of duty, 828.
- for Philippine Government, reimbursement, 830.
- Sales of Ordnance, etc. See *Ordnance*.
- Sergeants. See this title, *Enlisted personnel*.
- Time-measuring devices prohibited, 864a, 864b.
- Title to land purchased for, examination waived, 1274p.

ORDNANCE AND FORTIFICATIONS,
BOARD OF:

- Allowance to officer members, 877.
- Composition, 870-873.
- Duties, 870-875.
- Expenditures on tests, restriction, 876.
- Experimental guns, 878.
- Members not to be interested in inventions before, 874.
- Salary of civilian member, 873.

ORGANIZED MILITIA. See *Militia*.

OUTDOOR RELIEF:

- by Commissioners of Soldiers' Home, 1518.

OUTSTANDING LIABILITIES:

- Certificates of Secretary of Treasury as to, 242.
- Drafts, etc., turned in to Treasury to credit of, 241.
- Payment of checks which have been turned in, 243.

PACIFIC COAST:

- Quartermaster supplies on, advertisement necessary, 1205.

PACKER:

- In office of the Chief of Staff, 362, 362a.

PACKING HOUSES:

- See *Food and fuel conservation*.
- Commandeering or requisitioning for military purposes, 1708-1713.

PACKMASTER, 1091b.

PAMPHLETS. See *Newspapers; Publications*.

PANAMA:

- See also *Panama Canal*.
- Enlisted men, service in, counted double, 1041.
- Officers, detached service in, 937, 938i.
- Officers, detail under government of, 939.
- Pay, not increased for service in, 644.

PANAMA CANAL:

See also *Panama; Canal Zone*.
Accounts of, examination, 200a.
Allen labor, eight-hour law not applicable, 1225, 1226.

BONDS—

Used for funds for nitrate plants, 1628.

Used for funds for nitrate supply, redemption, 1629.

General officers of line advanced for service with, status, 927k.

OFFICERS RETIRED AS REWARD—

Transfer of certain, to active list, 958h-958k.

Payments to, for care of Army sick, etc., 776a, 776b.

Rewards to officers assisting in construction, 927a-927d, 927j.

Tour of duty in Canal Zone, 330a.

PAPERS:

Useless, disposition, 132, 133.

PARADES:

Right of way to troops and militia in District of Columbia, 1466.

PARDONS:

See also *Disciplinary Barracks; Military Prison*.

Power to grant, vested in President, 2.

PARENT:

Defined as to allotment, family allowances, etc., 1483w.

Discharge on account of dependent, 1044, 1044a.

Family allowances. See *Family allowances*.

PAROLE:

of Military prisoners authorized, 488b.

PASS:

Military, punishment for counterfeiting, etc., 1531c.

Official, punishment for counterfeiting, etc., 1531c.

PASSENGER-CARRYING VEHICLES:

Exchange on purchase of new, 1261a, 1261b, 1261c.

PASSPORTS:

See also *Foreign relations*.

Applications for, contents, 1675.

Counterfeiting, etc., punishment, 1678.

False statements in applications for, 1676.

Fees for, 1675.

Forging, etc., punishment, 1678.

Furnishing, person other than for whom issued, 1677.

Issued for another, use of, 1677.

Obtained through false statements, use of, 1676.

PATENTS:

See also *Inventions*.

Applications by citizens of United States in enemy country, 1425x.

Applications by enemy. See *Trading with enemy, License*.

Basic, for manufacture or development of aircraft, 889f-889hh.

PATENTS—Continued.

Important to defense, 1616, 1616a-1616c.

Inventions abandoned, when, 1425qq, 1616c.

Keeping secret inventions and withholding grant of, 1425pp, 1616a.

Members Ordnance and Fortifications Board not to be interested in any considered by it, 874.

to Officers without fee, when for United States, 863.

Radiodynamic torpedo control, 1614.

Suits against United States for infringement, 299.

Tendered to United States, compensation for use of, 1425rr, 1616c.

PATRIOTIC SOCIETIES:

Donation of ordnance to, 849a, 849b.

Sale of obsolete small arms, etc., to, 839.

Unlawful wearing of badges, penalty, 1025.

PAY:

of Army. See *Pay of Army*.

Clerks. See *Pay Department*.

COAST AND GEODETIC SURVEY—

Allowances and, not reduced on transfer to Army, 534k.

of Employees of arsenals, 854.

Military Academy. See *Military Academy*.

of Militia. See *Militia*.

of Paymaster's clerks. See *Pay Department*.

Persons not to receive more than one salary when total exceeds \$2,500, exceptions, 169.

Persons not to receive more than one salary when total exceeds \$2,000, exceptions, 169a, 169b.

PAY ACCOUNTS:

See also *Pay of officers*.

Assignment by officers, 647, 648.

Assignment by surgeons permitted, 740.

PAY OF ARMY:

See also *Pay Department*.

ADVANCEMENT OF PAY—

at Distant stations, 649.

to Troops about to embark, 650.

ALLOTMENTS—

See *Allotments of pay; Pay of enlisted men; Allotments; Family allowances*.

ALLOWANCES—

Clothing. See *Clothing, Army*.

Forage. See *Forage*.

Fuel. See *Fuel*.

Mileage. See *Mileage*.

to Officers, limited, 651.

Quarters. See *Quarters, Army*.

Rations. See *Rations, Army*.

Subsistence. See *Subsistence, Army*.

APPROPRIATION—

Detained pay, repayment from, 727.

Disbursed as one fund, 622, 689.

Disbursed by Quartermaster Corps, 689.

ARRARS—

Not to exceed two months, 625.

PAY OF ARMY—Continued.

Enlisted men. See *Pay of enlisted men*.
Hospital matrons. See *Hospital matrons*.

MANNER OF PAYMENT—

in Advance. See this title, *Advancement of pay*.

Arrears not to exceed two months, 625.

of Enlisted men, certain by check, 627.
of Officers paid monthly, 674.

Militia. See *Militia*.

Noncommissioned officers. See *noncommissioned officers*.

Officers. See *Pay of officers*.

Volunteers. See *Volunteer Army*.

PAY CLERK. See *Pay Department*.

PAY DEPARTMENT:

ACCOUNTS—

Analysis under heads of appropriations, 623.

Examination by Paymaster General, 623.

Assistant Paymasters General. See *Paymaster General*.

CLERKS, PAY—

Actual expenses only for sea travel, 682.

Appointment authorized, 629.

Appointments of, discontinued, 633.

Assignment to duty with Paymaster General, 623.

Commissary sergeants to act as, 493.

Commutation of quarters, 668a, 668b.

Designation changed, 496.

Enlisted men as, 629.

Mileage, rates of, 631.

Pay, 495a, 629, 630.

Rank and pay of first lieutenant, 632a.

Rank and pay of second lieutenants, 495a.

Retirement, age of, etc., 630, 632.

Subject to Articles of War, 634.

Composition, 613.

CONSOLIDATION—

into Quartermaster Corps, 495.

Deputy Paymasters General. See *Paymaster General*.

OFFICERS—

Bond, amount and condition, 337.

Bond, may be increased, 388.

Command, rank gives no right to, 624.

Promotions according to seniority, 616.

Vacancies, how filled, 617, 618, 936.

Organization, 613.

Paymasters. See *Paymasters, Army*.

Paymaster General. See *Paymaster General*.

PAY OF ENLISTED MEN:

for pay of a particular class of enlisted men, see the specific title. See also *Pay of Army*.

Accounts closed on furlough to reserve, 1031e.

ADDITIONAL PAY—

See also this title, *Extra duty pay*.

Casemate electricians, 699a.

PAY OF ENLISTED MEN—Continued.

ADDITIONAL PAY—Continued.

Certificates of merit, rate, 719.

Chief loaders, 699a.

Chief planters, 699a.

Coxswains, 690a.

Expert riflemen, 699a.

Gunners, gun pointers, etc., 699a.

Increase for reenlistment, 1034.

Increases in time of war, 595b, 595c, 705.

Qualifying in marksmanship, etc., rates, 699, 699a.

Service outside United States, restrictions, 642-644.

Sharpshooters, 699a.

ADVANCEMENT OF PAY—

at Distant stations, 649.

to Troops about to embark, 650.

ALLOTMENTS OF PAY. See also *Allotments of pay*; *Family allowances*.

Involuntary—

Amount of allowance and, not to exceed amount of support, 712n.

Amount of, compulsory, 712d.

Amount of, monthly dependent upon then existing conditions, 712z.

Amount to divorced wife in addition to other, 712f.

Amount to illegitimate child, 712e.

Applicable to enlisted men of military forces, 712b.

Apportionment of allowances and, between classes A and B, 712v.

Compulsory and voluntary, 712c.

Compulsory prerequisite to payments of family allowance to class A, 712n.

Conditions prerequisite to payments of family allowances to class B, 712r, 712s.

Deduction of and payment to Treasury, 712w.

Exemption for cause from additional, as to family allowances, class B, 712d.

Investigations as to allowances and, 712x-712z.

Payments to Treasury Department for distribution, 712w.

Voluntary—

Amounts and regulations for, 712g.

Credits for payments to allottees, 712, 712a.

Dependent families, etc., 711, 711a.

Assignment before discharge, invalid, 726.

Chauffeurs. See *Signal Corps, Enlisted men*.

Continuous service. See this title, *Service pay*.

DEDUCTIONS—

See also this title, *Stoppages*.

for Absence due to intemperance, etc., 666.

for Absence without leave, 448.

Allotments. See *Allotments, Involuntary*.

PAY OF ENLISTED MEN—Continued.

DEDUCTIONS—Continued.

Amounts due traders, etc., at recruit depots, 723.

for Damages to arms, etc., 690.

Family allowances. See *Allotments; Family allowances*.

Insurance. See *Military and naval insurance*.

for Soldiers' Home fund discontinued, 722.

Subsistence stores, amounts due, 725.

Tobacco, amount due for, 724.

Unauthorized absence on 31st, 626.

Defined as to allotments, family allowances, etc., 1483dd.

DEPOSIT FUND—

Appropriation for interest, 716b.

Deposit of unallotted pay to credit of, 716c, 716d.

Interest, payment of principal and, 716d.

Military, etc., created, 716a.

Payment of principal and interest, 716b, 716d.

Deposits of pay. See also *Enlisted men*.

DETAINED PAY—

During Execution of suspended sentence to dishonorable discharge, 727a, 1507a.

by Sentence of court-martial, repayment, 727.

During captivity, 720.

Expert rifleman. See this title, *Additional pay*.

EXTRA-DUTY PAY—

Disciplinary barracks guard, rates, 563a, 563c.

Mess stewards and cooks at recruit depots, 563b.

Prohibited if receiving increased pay, 564, 568.

Prohibited in time of war, exception, 567, 705.

Rates of, 562, 563, 563a, 563c.

Family allowances. See *Family allowances*.

Gratuity. See *Gratuity*.

Gunners. See this title, *Additional pay*.

Increased. See this title, *Additional pay*.

Increased, time of war, 695b, 695c, 705.

Injured persons during vocational training, 1293k.

MANNER OF PAYMENT—

in Advance. See this title, *Advancement of pay*.

by Checks at risk of United States, 627.

Marksmanship, qualifying in. See this title, *Additional pay*.

National Army, same as for Regular Army, 1668.

National defense act, effect, 702a.

RATES—

for Ordinary service, 695, 695a, 695b, 698.

PAY OF ENLISTED MEN—Continued.

Retained pay abolished, 707.

Retired pay. See *Retirement, Army*.

Rules for division of time in computing, 44b.

Saving clause, 702.

Savings. See *Enlisted men*.

SERVICE PAY—

Additional pay in time of war not applicable to, 695c.

Computation of, commissioned service in National Guard, etc., 1043d.

Credit for service in Philippine Scouts, 710.

Credit for service in Volunteers, 709.

Enlistment period, three years, 1031d.

Rate, when paid, etc., 708.

Receipt of, bar to compensation for disability, 1483vvv.

Reenlistment within three months, 1034, 1043c, 1043d.

Sharpshooters. See this title, *Additional pay*.

STOPPAGES—

See also this title, *Deductions*.

Desertion, removal of charge. See *Desertion*.

by Sentence of court-martial, repayment, 727.

Travel pay on discharge, 721.

during Suspended sentence of dishonorable discharge, 727a.

BEYOND UNITED STATES—

Rate, restrictions, 642-645.

WAR PAY—

Increase of 20 per cent, 705.

PAY OF OFFICERS:

for pay of a particular class of officers, see the specific title; see also *Pay of Army*.

ADDITIONAL PAY—

Brevet rank does not give, 638.

for Exercising higher command, restrictions, 639, 640.

for Foreign service, 642-645.

below Major, who furnish mounts, 637.

for Service outside United States, restrictions, 642-644.

Advancement at distant stations, 649.

Allotments. See also *Allotments of pay, Commissioned officers*.

ALLOTMENTS OF PAY—

Credits for payments to allottees, 712a.

Dependent families, etc., 711a.

Appointed during Civil War, though not mustered in, 455, 455a.

Assignment authorized, 647, 648.

Citizens designated for training, 1574b.

DEDUCTIONS. See also this title, *Stoppages*.

for Absence due to Intemperance, 666.

for Absence without leave, 661.

for Damage to arms, etc., 690, 691.

Indebtedness to United States, 694.

PAY OF OFFICERS—Continued.**DEDUCTIONS—Continued.**

Insurance. See *Military and naval insurance*.

for Subsistence stores purchased, 692.
Forfeiture. See this title, *Stoppages*.
Increased. See this title, *Additional pay*.
Defined as to compensation, insurance, etc., 1483dd.

General, allowances and, 350e.

Lieutenant General, allowances and, 350e.

LONGEVITY PAY—

below Brigadier general, rate, 652.
no Credit for cadet service, 657.
Computation to include details to active duty, 975c.
Credit for service in Navy, 656.
Credit for volunteer service, 655.
Limitation upon amount of, 653.
Retired officers not to receive, exception, 659, 975c.

MANNER OF PAYMENT—

in Advance at distant stations, 649.
Monthly by paymasters, 674.

Maximum amount for certain, 654.

National Army, same as for Regular Army, 1668.

RATES—

for Different grades, fixed, 635.

REPAYMENT TO UNITED STATES—

for Defect in title to office, etc., 457.

Retired pay. See *Retirement, Army*.

Saving clause, 702.

Service pay. See this title, *Longevity pay*.

Service pay, receipt of, bar to disability compensation, 1483vvv.

STOPPAGES—

See also this title, *Deductions*.

Forfeiture by unauthorized absence, 667.

Removal by accounting officers, 641.
for Unauthorized absence on 31st, 626.

BEYOND UNITED STATES—

Rate, restrictions, 642-645.

WAR PAY—

When officer holds higher command, 639.

PAYMASTER GENERAL:

See also *Pay Department, Quartermaster Corps*.

Deputy paymasters general, duties, 620.

Duties, under direction of President, 619.

Paymasters. See *Paymasters, Army*.

Paymaster's accounts, to examine, etc., 623.

Paymaster's clerks, duty in office of, 623.

Table of distances to be prepared by, 676.

PAYMASTERS, ARMY:

See also *Pay Department*.

Accounts. See *Pay Department*.

Additional paymasters, appointment, 614.

Additional paymasters, duties, 621.

Additional paymasters, terms of service, 615.

Bond, President may regulate and increase, 185.

PAYMASTERS, ARMY—Continued.

Claims of, for relief, before Court of Claims, 277.

Clerks. See *Pay Department*.

Duties, 621.

Losses by, without fault, decrees in cases of, 280.

PENALTY ENVELOPES. See *Envelopes*.

PENITENTIARIES:

See also *Articles of War*.

Manufacture of Government articles by prisoners, 822a.

Officers in confinement in, dropped, 993.

Sentences to confinement in, authorized, 475c.

PENSION ROLL:

Civil, establishment of, forbidden, 38.

PENSIONS:

See also *Injuries to Government Employees; Military and Naval Compensation*.

ARMY—

Persons entitled, restriction, 1482, 1493.

Provisions for, superseded by death and disability compensation, 1483www.

ASSIGNMENT—

by Inmates of Soldiers' Home, 1520.

Beneficiaries. See this title, *Persons entitled to receive*.

CHILDREN'S PENSIONS—

Increase for each child under 16, 1497.

Not reduced, 1498a.

Rate increased, 1498.

Under 16 years of age, entitled, 1496.

CIVIL WAR—

See also *throughout this title*.

Deserters restored, entitled to pension, 446.

Widows', minimum rate, 1498h, 1498L.

CLAIMS—

Absence on sick leave, how regarded, 1494.

Dependent relatives entitled, 1500.

Repatriated American citizens who served in foreign armies, 1468d.

Coast and Geodetic Survey, disabilities while with Army, etc., 534k.

Commissioner of, to administer military and naval compensation provisions, 1483bbbb.

DISABILITIES—

See also *Military and naval compensation, Disability*.

Arm or leg, loss of, 1488.

Contracted in line of duty, 1483.

Foot or hand, loss of, 1489.

Hand and foot, loss of, 1487.

Hand or foot, loss of, 1489.

Leg or arm, loss of, 1488.

Permanent, specific, 1486.

Requiring constant attendance, 1490.

Requiring frequent attendance, 1491.

PAYMENT—

to Soldiers' Homes of inmates' pensions, 1520.

PENSIONS—Continued.

PERSONS ENTITLED TO RECEIVE—

See also *Military and naval compensation*.

Children. See this title, *Children's pensions*.

Dependent relatives, 1500.

Deserters, after removal of charge, 446, 451.

Enlisted Reserve Corps, 1589.

Enumerated, 1481-1483.

Medical Reserve officers, restrictions, 748.

Militia personnel, disability in actual service, 1348.

National Guard, 1339e, 1339j.

Officers' Reserve Corps, 1546, 1571.

Period of service, 1495.

Regular Army Reserve, 1031m.

Temporary second Lieutenants, 1571.

Volunteers, same status as Regulars, 1394.

Widows. See this title, *Widows' pensions*.

PHILIPPINE INSURRECTION—

Widows' minimum rate, 1498h, 1498i.

Public Health Service officers serving with Army entitled to, 534q.

RATES—

See also this title, *Disabilities; Widows' Pensions*.

According to rank, 1484, 1485.

for Disability requiring attendance, 1490, 1491.

Division of \$18 rate, 1492.

for Permanent specific disabilities, 1486.

REMARRIAGE—

of Widow, etc., not to bar right of, 1501.

SOLDIERS' HOMES—

Assignment, etc., of inmates' pensions, 1520.

WIDOWS' PENSIONS—

See also *Military and Naval Compensation*.

Addition for each child under 16, 1497.

Child on remarriage, 1498c.

Commencement at death of husband, 1496.

Dropped for remarriage, reinstatement if again a widow, 1498b.

Extended to those dropped for remarriage, 1498d.

Laws not affected by minimum rate for, 1498i.

Marriage, restrictions as to time, 1499.

Minimum rate for, 1483h, 1483i.

Not reduced, 1498a.

Rate, etc., 1496.

Rate at age of 70 years, 1498a.

Rate if married prior to June 27, 1905, 1498e.

Rate increased, 1498, 1498a, 1498h.

Reinstated, commencement, 1498b.

Remarriage not to bar right of, 1501.

PENSIONS—Continued.

WIDOWS' PENSIONS—Continued.

Restrictions on fees to attorneys, 1498g.

Where pension has been granted to child, 1498f.

PEONAGE:

Abolished in New Mexico, 1455, 1456.

PER DIEM ALLOWANCE:

for Civilian employees, Ordnance Department, traveling, 857a, 857b.

Employees traveling outside District of Columbia, 96c, 96d.

Engineer Department, traveling, 808a. of Inspectors of Panama Canal accounts, 200a.

for Members Ordnance Board, 877.

Officers not occupying quarters at proving ground, 825b.

to Receive pay for holidays, 54-56.

PER DIEM EMPLOYEES:

Computation of increased pay, method, 441.

PERIODICALS:

See also *Newspapers*.

FOREIGN LANGUAGES—

Under permit to hear certificate as to, 253j.

Subscriptions, payment in advance, 77a.

PERJURY:

See *Search warrants*.

False statements in claims for compensation, family allowances, etc., 1483ii.

PERMITS:

for Examination of ruins, etc., 1286, 1287.

PERSON:

Defined. See *Trading with enemy*.

PERSONAL INJURIES:

to Laborers, artisans, etc. See *Injuries to Government employees; Laborers*.

PERSONAL PROPERTY. See *Public property*.PERSONAL SERVICES. See *Executive departments*.

PETITION:

to Congress, by employees permitted, 42.

to Court of Claims. See *Court of Claims*.

PETTY OFFICERS:

Defined as to allotments, allowances, etc., 1483z.

PHILIPPINE CONSTABULARY:

See also *Philippine Islands*.

Chief and assistants, detail of, 384, 941.

Chief and assistants, detail not covered by detached-service law, 937.

Chief and assistants, rank and pay, 941.

Philippine Scouts may assist, 340.

PHILIPPINE INSURRECTION:

Bronze medal to volunteers, suppression of, 1013b, 1013c.

Pensions, minimum for widows, service in, 1483h, 1483i.

Persons who served in, entitled to benefits of National Home for Disabled Volunteers Soldiers, 1502b.

PHILIPPINE ISLANDS:

See also *Philippine Constabulary*; *Philippine Scouts*.

Appointments from, to Military Academy, 1143, 1143a.

Banks in, designation as United States depositories, 182.

Contract surgeons in, assignment of pay, 740.

Discrimination against uniform, penalty, 1010.

Employees detailed in, pay, 362b.

Enlisted service in, counted double, 1040, 1041.

Insane Filipino soldiers, treatment of, 1527.

Jurisdiction of courts over offenses under espionage titles, 1475r.

Jurisdiction of courts over offenses under Trading with Enemy Act, 1425un.

Leave of absence in, commencement, etc., 605.

National defense secrets, courts in, given jurisdiction over offenses in connection with, 1317j.

Service on transports, pay for foreign service, 645.

Shelter of troops in, reports of expenditures, 548.

Tour of duty of officers in, 330a.

Transfer of stores to Government, 417.

PHILIPPINE SCOUTS:

See also *Philippine Islands*.

Appointment of officers to vacancies in grade of second lieutenant, 331d.

Captain of, creation of office, etc., 339.

Captain of, limitation of number, etc., 339.

Commissioned service in, by enlisted men. See *Pay of enlisted men*; *Retirement, Army*.

Enlisted men, pay and allowances, 338.

Enlistment of native troops authorized, 335.

Excepted from limitation on tour of duty, 330a.

Excluded from total, strength of line, 332e.

Insane, care and treatment of, 1527.

Lieutenants, natives may be appointed, 337.

National-defense act, effect on, 1106a.

Officers, appointment, second lieutenants, 331d.

Officers, provisional, pay, 338.

Officers, selection for command, 330.

RETIREMENT—

Captains and lieutenants, 339a.

Double time for foreign service not counted, 339b.

Former officers, 339c, 339d.

Not part of limited retired list, 339d.

Schaaf, Bernard A., 339e.

may Serve under Constabulary officers, 340.

PHOTOGRAPH:

See *Engravings*.

Unlawful, penalty for making, etc., 1317i-1317j.

PHYSICAL EXAMINATION:

NATIONAL GUARD—

Muster in, 1339f.

Muster out, 1339g.

PHYSICIANS:

Employment of civilian, 779.

PHYSIOLOGY AND HYGIENE:

Study of, at Military Academy, 1161.

PICTURES. See *Engravings*.

PIECEWORK:

Computation of, increased pay for employees on, 441.

PISTOLS:

Automatic, distribution to Militia, 1370.

PLANTS:

Manufacture of arms. See *Munitions plants*.

Manufacture of aircraft, etc. See *Signal Corps, Aviation*.

PLEDGE:

Receiving public property as, penalty, 220.

PLOTTERS:

Additional pay for qualifying, 699, 699a.

Authorized number not to be increased, 700.

POLICIES:

Insurance. See *Military and naval insurance*.

POLITICAL CONTRIBUTIONS:

Soliciting by officers prohibited, 172-176.

POLO PONIES:

Purchase of, for Military Academy, 542.

PORT OF ENTRY:

During insurrections. See *Insurrections*.

PORTO RICO:

See also *Porto Rico Regiment*.

Banks in, designation as United States depositories, 182.

Citizens of, appointed to Military Academy, 1142.

Citizens of, may be second lieutenants in Porto Rico Regiment, 342, 347.

Citizens of, may enlist in Army, 349.

Discrimination against uniform, penalty, 1010.

Enlisted men, service in, pay, 644.

Enlisted service in, counted double, 1040, 1041.

National Guard, 1321a.

Surgeons in, assignment of pay, 740.

PORTO RICO REGIMENT:

Captains, recommissioned in Regular Army, 346a-346c.

Colonel, 345a.

Commanding officer, detail, 384.

Creation, 341.

Designation changed, 344.

Detached-service law does not cover duty with, 937.

PORTO RICO REGIMENT—Continued.

Enlisted men, citizenship, 343a.
Enlisted men, pay and allowances, 341, 342, 343a.

Enlistment, term of, 341-343, 343a.

Field officers, appointment and number, 345, 345a, 345b, 348a.

OFFICERS—

Appointment, 341, 347a.

Detail, transfer, etc., 345b.

Grades of lieutenant colonel and captain, how filled, 345b.

Pay and allowances, 341, 343a, 348.

Promotion, limitation, 342.

Promotions, by seniority, 348, 348a.

Rank, who held commissions in Provisional Regiment, 346d.

Recommission, 346, 346a.

Retirement, 348.

Organization, 341a.

Service outside island of Porto Rico, 343a, 349.

Vacancies in grade of second lieutenant, how filled, 342, 347, 347a.

PORTS:

Closed during insurrection. See *Insurrection*.

POSSE COMITATUS:

Army not to be used as, exceptions, 1477, 1480.

Civil rights cases, aid of process, 1449.

In Hawaii, governor may summon, 1478.

POSTAGE:

Letters of soldiers in foreign countries transmitted free, 251a.

Letters of soldiers may be forwarded unpaid, 251.

POSTAGE STAMPS:

See also *Mail matter*.

Official use, Postmaster General to furnish, 126.

POSTAL GUIDE, OFFICIAL:

Supply for executive departments, 1236c.

POSTAL SERVICE:

Jurisdiction of offenses, transmitting nonmailable matter, 253e.

Persons in, to take oath, before whom, 249, 250.

Punishment for using, to transmit nonmailable matter, 253d.

POST BAKERIES:

Purchase of equipment for, 1237.

POST CARDS. See *Letters*.POST CHAPLAINS. See *Chaplains*.POST COMMISSARY SERGEANTS. See *Commissary sergeants*.

POST EXCHANGES:

Public buildings, when may be used for, 1294.

Public funds not to be expended upon, 1294.

Public transportation may be furnished, 1294.

Sale of intoxicating liquors, prohibited, 1295.

POST GARDENS:

Public moneys not to be expended upon, 518.

POSTMASTER GENERAL:

Contracts for all envelopes, plain and penalty, 254a, 254b.

Furnish copies of permits and revocations, publications in foreign languages, 253j.

Furnish postage stamps for official use, 126.

Oath of office, before whom may be taken, 249, 250.

POSTMASTERS:

Premium for securing recruits, 1032a.

POST NONCOMMISSIONED STAFF OFFICERS:

Part of Regular Army, 331a.

POST OFFICES:

at Military posts, 1294a.

POST ORDNANCE SERGEANTS:

See also *Ordnance sergeants*.

Pay, 695.

POST QUARTERMASTER SERGEANTS.

See *Quartermaster sergeants*.

POSTS. See *Military posts*.

POST SCHOOLS:

Purchase of equipment for, 1237.

POST TRADERS, 723.

POTATOES. See *Food and fuel conservation*.

POWDER. Sale or exchange of unserviceable, 837.

POWERS OF ATTORNEY:

Certain, granted by enemy, etc., valid, 1425oo.

to Receive payment of claims, 240.

PRACTICE MARCHES:

of Militia. See *Militia*.

PREMIUMS:

for Accepted recruits, 1032, 1032a.

on Bonds, maximum rate, etc., 393.

Bonus, cash reward, or to employees, 864a, 864b.

Insurance. See *Military and naval insurance*.

on Sales of Treasury notes, accounting for, 402.

PRESIDENT OF ARMY WAR COLLEGE.

See *Army War College*.

PRESIDENT OF THE UNITED STATES:

for other matters over which the President has less direct control, see the specific title.

APPOINTMENTS—

of Chaplains, 902-904.

of Commanding general, District of Columbia Militia, 1372.

at Military Academy, 1108, 1108a.

of Officers after adjournment of Senate, 9.

in Officers' Reserve Corps, 1533.

Power to make, 7.

of Volunteer officers, 1386.

Without consent of Senate, 10.

PRESIDENT OF THE UNITED STATES—
Continued.

ARMY—

See also throughout this title.

Commander in Chief, 2.

Commission in to be signed by, 925.

Contemtpuous or disrespectful words concerning, 62 A. W.

Enlisted strength of line, 1105.

Medals of honor, 1013.

Paymasters, etc., may increase bonds, 185.

Prescribe new organizations, 356a.

Punishments, limit of, prescribed, 45 A. W.

during Recess of Congress, 8.

Regulations, publication of, 324.

Retiring boards, review of proceedings, 980.

Sale of military stores, 1261.

Transportation of troops, preference to, 525.

Uniform and clothing issues prescribed, 571.

Designation of property custodian, White House, 109a, 109b.

ENLISTED MEN—

Certificates of merit for, 1018.

Citizenship, may remit loss of rights, 1052.

EXECUTIVE DEPARTMENTS—

to Designate acting chiefs of bureaus, 146.

Designating acting heads, 15.

EXECUTIVE OFFICE—

Details of clerks to, from executive departments, 12, 12a.

Insurrections. *See Insurrection.*

MARINE CORPS—

Shore duty, 304.

Military reservations. *See this title, Public lands.*

MILITIA—

Appointments. *See this title, Appointments.*

Apportionment to States, 1341.

Commander in Chief of District of Columbia, 1371.

Enlisted strength of company, troop, etc., 1326.

Use of, to suppress domestic violence, 1418.

NATIONAL ARMY—

Discharge of officers of, 1666.

Report of military board as to conduct, efficiency, etc., of officers of, 1667.

NATIONAL GUARD—

Authorized to draft into service, 1339h-1339n.

Disbandment forbidden without consent of, 1325n.

Prescribe organization, 1325a, 1325v.

Report of military board as to conduct, efficiency, etc., of officers of, 1667.

PRESIDENT OF THE UNITED STATES—
Continued.

Neutrality, enforcement of. *See Neutrality.*

Office. *See this title, White House.*

OFFICERS—

Brevets. *See Brevet rank.*

Dismissed by, right to trial, 994.

Engineers, duty outside profession, 789.

Examination prescribed by, 930.

Retirement, at discretion of President, 963.

PAY OF ARMY—

Advance to persons at distant stations, 649.

POWERS AND DUTIES—

See also throughout this title.

Acts of Allen Property Custodian under regulations creates no liability in court, 1424l.

Buildings erected, consent of States, 1275.

Civil Service, regulations for admission, 163.

Extradited persons, protection of, 1476.

Foreign intercourse fund, payments from, 190.

Lands held in trust, obtain release, 1279.

Naval officers to inspect Army transports, 306.

Opinions of department heads, may require, 2.

Pardons, 2.

Transfer officers from retired to active list, 958a, 958d.

Treaties, 7.

PROCLAMATION—

Calling for volunteers, 1384.

of Neutrality, penalty for violation, 1475.

Designation of prohibited places, national defense, 1317h.

Exports, certain, in time of war unlawful, 1475m-1475p.

Importation of certain articles prohibited by, 1431a.

National emergency. *See Vessels in ports of United States.*

Peace, transportation of National Army forces to home station, 1640b.

PUBLIC LANDS—

Military reservations, disposition of useless, 1281.

Reservation of parcels of land, 1285.

Unlawful inclosures, removal, 1318.

RATIONS—

Issuance to Indians at posts, 599.

Substitute equivalent, 593.

Regulations for food and fuel conservation, 1680.

SUCCESSION TO PRESIDENCY—

Eligibility rules same as for election, 6.

Order of, 5,

Vice President, 4.

PRESIDENT OF THE UNITED STATES—

Continued.

TERM OF OFFICE—

Commencement, 3.

Four years, 1.

THREATS AGAINST—

Penalty for making, 1a.

WAR—

Transportation of troops, preference to, 525, 525a, 525b.

WHITE HOUSE—

Chief of telegraph at, 881.

Detail of clerks to duty in, 12, 12a.

Military storekeeper, retention of, 513.

VOLUNTEER FORCES—

Officers, appointment, 1386.

Organization into brigades, etc., 1385.

Proclamation calling for, 1384.

PRINCIPAL MUSICIAN. Pay, 701.

PRINCIPALS:

on Bonds, duration of liability, 396.

PRINTING AND BINDING:

Appropriations for, availability, 115.

Army, may be procured by contract, etc., during hostilities, 112b-112d.

Cost, in Court of Claims, losing party to pay, 289.

Estimates for, information to accompany, 115.

for Executive departments. See *Executive departments*.

Joint Committee on, continuance, vacancies, etc., 114a.

National Guard, may be procured by contract, etc., during hostilities, 112b-112d.

for Quartermaster's Department, 1236, 1236a, 1236b.

PRINTS. See *Newspapers*.

PRIORITY:

of Surety on bonds, 223.

of United States, 221, 222.

PRISONERS:

See also *Articles of War*.at Disciplinary barracks. See *Disciplinary barracks*.

Limitation on allowance for keeping and feeding suspended, 776c.

Manufacture of Government articles by, 822a.

at Military prison. See *Military prison*.

of War, admission to Government Hospital for Insane, 1525a.

of War, medical care, 776.

of War, pay while held, 720.

PRISONERS OF WAR:

Admission to Government Hospital for Insane, 1525a.

Medical treatment, etc., 776d.

PRISONS:

See also *Disciplinary barracks*.Military prison. See *Military prison*.

Officers in confinement dropped, 993.

PRIVATE INJURIES:

Foreign Governments, redress of, 1415b.

PRIVATE MUNITIONS PLANTS. See *Munitions plants*.PRIVATE PROPERTY. See *Property*.

PRIVATES:

of particular organizations, see the specific title. See also *Enlisted men*.

Pay, for different arms of service, 698.

Pay, in staff departments, 698.

PRIVATES, FIRST CLASS:

Medical Department, percentage, 766f.

Pay, 695a.

Signal Corps, percentage, 890a.

PRIZES:

See also *Trophy, National*.

Captured from insurgents, condemnation, 1428.

Defrauding United States of captured, penalty, 1267.

to Graduates of school for bakers and cooks, 1188.

PROCEEDS OF SALES. See *Sales*.PROCLAMATION OF PRESIDENT. See *President of the United States*.

PROFESSORS:

at Military Academy. See *Military Academy*.

PROMOTIONS, ARMY:

of a particular class of officers or enlisted men. See the specific title.

ENLISTED MEN—

to Second lieutenants, provisions for, 919-921, 331d, 331f.

OFFICERS—

in a particular corps or department. See the specific title.

Line. See *Officers, Army*.Staff departments. See *Staff departments*.

PROPERTY:

See also *Articles of War*; *Public property*.Alien enemy. See *Trading with enemy*; *Alien Property Custodian*.

Captured on high seas, jurisdiction over, 302.

Civil rights with respect to, 1443.

Claims settled by Auditor for War Department on recommendation of Secretary of War, 162a.

Confiscation of. See *Insurrection*.

Damage to, from gunfire, etc., claims for, 162.

Destruction. See *Articles of War*.During insurrection. See *Insurrection*.

Lost in military service, claims for, 217, 217a, 217b-217g.

Returns, Signal Corps, 901a.

PRO RATA LEAVE:

Employees of armories and arsenals, etc., 857e.

PROVING GROUND:

See also *Aviation fields*; *Aviation stations*; *Military posts*; *Military reservations*; *Reservations*.

Acquisition of sites for, 1274e, 1274l.

Brick house on, not "public quarters," 825a.

Commandeering land for, 1274l.

Method of determining just compensation for land taken, 1274m.

PROVING GROUND—Continued.

- Per diem expenses of officers, 825b.
- Possession to be taken of land on failure to purchase, 1274l-1274n.
- Regulate use of navigable waters in connection with, 1315c, 1315d.
- Requisitioning land for, 1274l.
- Testing ordnance material, 1274k.
- Title to land taken immediately vests in Government, 1274n.

PROVISIONAL ARMY:

- See *National Home for Disabled Volunteer Soldiers, Persons entitled to benefits of.*

PROVISIONAL REGIMENT:

- Field Artillery or Infantry, organization of Cavalry into, 1071b, 1071c.
- in Porto Rico. See *Porto Rico regiment.*

PUBLIC ANIMALS. See *Horses.***PUBLICATIONS.** See also *Mail matter; Newspapers.*

- Advocating treason, nonmailable, 253c.
- Distribution by Public Printer, 85.

FOREIGN LANGUAGES—

- Copies of permits and revocations of, 253j.

Filing translation before mailing, 253g-253h.

Matters unlawful to be published in, 253f.

Nonmailable, when, 253h.

Permits to publish, 253i.

Punishment for making affidavit containing false statement, 253k.

Nonmailable matter, when, 253a.

PUBLIC BUILDINGS:

- for a particular building, see the specific title. See also *Buildings.*

APPROPRIATION—

Cost of construction not to exceed, 1191, 1192.

for Sites, cost not to exceed, 1193.

Unexpended balances available, 192.

CONSTRUCTION—

Cost not to exceed appropriation, 1191.

Limit of cost at posts, without approval, 546, 546a.

by Quartermaster's Department by contract, 546, 515a.

CONTRACTS—

After advertising in Quartermaster Department, 546, 546a.

Appropriations. See this title, *Appropriations.*

Bonds, to cover labor and material, 1217.

Bonds, suits for labor and material on, 1217.

Eight-hour law to be observed, 1219.

Separate for two or more, 1209.

DISTRICT OF COLUMBIA—

- Draping in mourning prohibited, 122.
- Equipment, etc., Aviation Section, Signal Corps, 889pp.

PUBLIC BUILDINGS—Continued.**DISTRICT OF COLUMBIA—Continued.**

Leases of, 99, 99a, 99b, 118, 120, 1372a.

Leases of storage accommodations, 99b.

Price of gas for limited, 122a.

Public grounds, etc., express authority for, 1279b $\frac{1}{2}$.

ESTIMATES—

Limit of expenditures without submitting, 546a.

Plans to accompany, 97.

Hospitals, limit of cost where not authorized by Congress, 547b.

for Post exchanges, 518.

Preference to American material, 1234, 1234a.

Repair and construction under Quartermaster Corps, 515a.

SITES—

Cost not to exceed appropriation, 1193.

Title papers to Attorney General, 1290.

Title to be approved by Attorney General, 1290.

Temporary, aviation stations on public land, 889rr.

Temporary offices for War and Navy Departments, 154d.

PUBLIC BUSINESS:

Condition of, in Book of Estimates, 102.

in Executive departments, report of, 108.

Extension of hours of labor when in arrears, 49.

Monthly report as to condition, 49.

Signal Corps to collect forwarding charges due commercial companies, 893a.

PUBLIC DOCUMENTS. See *Documents.***PUBLIC FUNDS:**

See also *Public moneys.*

Militia officers furnished, for coffee, etc., 1350.

PUBLIC GROUNDS:

District of Columbia. See *District of Columbia.*

PUBLIC-HEALTH SERVICE:

Officers, subject to Article of War when serving with Army, 534q.

Status and rights of officers when serving with Army, etc., 534q.

PUBLIC IMPROVEMENTS. See *Public buildings.***PUBLIC LANDS:**

See also *Public property; Donation of lands.*

Conveyed to individuals for use of United States, 1278.

Desert lands. See *Desert lands.*

Homesteads on. See *Homesteads.*

Inclosures, destroying or invading, 1314.

Leasing of certain authorized, 1279.

Military reservations. See *Military reservations.*

Mining claims. See *Mining claims.*

PUBLIC LANDS—Continued.

- Monuments of surveys, molesting, 1313.
- Purchases of, must be authorized, 1274.
- Removing unlawful inclosures, 1313.
- in Reservations not subject to preemption, 1263.
- Rights of way across, forfeited, when, 1283.
- Rights of way for highways over, 1283a.
- Rights of way, granting, 1282, 1283.
- Rights of way, revocation, 1282.
- Trees on, penalty for chipping, etc., 1312.
- Trees on, penalty for cutting, 1311, 1313.

PUBLIC MONEYS:

- See also *Public property*.
- Accounting. See *Accounting Officers*;
- Accounting of public money*.
- Accounts, failure to render, 421.
- Advance, certificate to requisitions, 237.
- Advance payments to contractors, 407a, 407b.
- Advances forbidden, exceptions, 407.
- Bankers receiving on deposit, etc., penalty, 427.
- Conversion of, 419, 420, 426.
- Delinquent custodian, distress warrant, 224.
- Depositories. See *Depositories of public money*.
- Deposits, failure to make, 422.
- Disbursement. See *Disbursement of public money*.
- Disbursements, officers as agents, of Quartermaster Corps, 499a.
- Disbursing officers. See *Disbursing officers*.
- Drawn only in accordance with appropriations, 186.
- Duties of fiscal agents, 185.
- Embezzlement, 419, 420, 428, 1263.
- Embezzlement, evidence of, at trial, 424.
- Embezzlement, refusal to pay draft evidence, 425.
- Exchange of funds, restrictions, 401.
- Fraudulent receipts or vouchers, 426.
- Gross amount received paid into Treasury, 403.
- Officers, Ordnance Department, designate other officers to disburse, 832a.
- Penal provisions, to whom applicable, 423.
- Premiums received on sale of notes, etc., 402.
- Requisitions for advances, disapproved, when, 196.
- Warrants, requirements, 237.

PUBLIC PARKS:

- Sale of obsolete cannon, etc., to, 840.

PUBLIC PRINTER:

- See also *Printing and binding*.
- Distributing material, etc., transferred to, 85.
- Estimates by, to departments, 114.
- Forms, etc., furnished departments, 112.
- Publications to be distributed by, 85.
- Report of departments, date furnished, 106, 106a.

PUBLIC PROPERTY:

- for property of a particular department or office, see the specific title. See also *Public lands*.

DISPOSAL OF—

- See also this title, *Sales*; *Educational institutions*; *Ordnance*.

Congress empowered to make, 1255.

of Damaged or unsuitable, 1261.

by Soldiers prohibited, 1262.

Exchange. See the specific title.

Inventory. See this title, *Returns*.

ISSUES—

- See also *Educational institutions*; *National Guard training*. See also this title, *Sales*.

of Arms, etc., to departments, 847.

Lease of certain, 1279.

Loan of tents, restrictions, 1259b.

LOSS OF—

Affidavit of commanding officer, 1260.

Affidavit of company commander, 1260.

Certificates forwarded to accounting officer, 1257.

Charge certified to accounting officer, 1256.

Officer may relieve himself of liability, 1253.

Regulations by heads of departments, 1259, 1259a.

OFFENSES—

Embezzlement, penalty, 1263, 1264, 94 A. W.

Theft, penalty, 1263, 1264, 94 A. W.

Receiving stolen property penalty, 1266.

Robbery, penalty, 1265.

RETURNS—

to Accounting officers discontinued, 1256.

of Colors, volunteer regiments mustered out, 149a.

Failure to make, penalty, 110.

by Heads of departments, 109.

New method prescribed, 1256-1259, 1259a.

Regulations for accounting for, 1259a.

SALES—

- See also this title, *Disposal of*; *Educational institutions*; *Ordnance*.

Airplane war materials to foreign governments, etc., 1255a, 1255b.

Expenses of, paid from proceeds, 406.

Horses and mules not required for Regular Army, etc., 538a.

National Guard target ranges, 1281a-1281c.

to Philippine Government, proceeds, 417.

Proceeds, annual statement of, 101.

Proceeds from, disposition, 403, 404.

Proceeds of war material to foreign government, etc., disposition, 1255b.

Statement of proceeds separate from Book of Estimates, 100a.

STATUTES AT LARGE—

Preserved as, 323.

PUBLIC PROPERTY—Continued.

Transfer of certain to other bureaus and departments, 417a, 604, 842, 847.

TRANSPORTATION—

by Quartermaster's Department, 532.

Volunteer officers, affidavits as to accountability for, 1383b, 1383i.

Volunteer officers, certificates of nonindebtedness on discharge, 1383g-1383i.

WHITE HOUSE—

Bond of custodian, 109a.

Designation of custodian, 109a.

Inventory of Custodian, 109b.

PUBLIC RECORDS. See Records.**PUBLIC ROADS. See Highways.****PUBLIC WORKS:**

See also *Public buildings*.

Bids, separate proposals for two or more, 1209.

Construction and repair, supervision by officers of Quartermaster Corps, 515a.

Eight-hour law to be observed, 1219.

Estimates to be accompanied by plans, 97.

Preference to American material, 1234, 1234a.

Rivers and harbors. See *River and harbor works*.

PUNISHMENTS:

For a particular offense, see the specific title. See also *Articles of War*.

by Courts-martial. See *Courts-martial*.

Limit of, for Army, prescribed by President, 45 A. W.

of Military convicts. See *Military prison*.

PURCHASES:

of a particular article or class of articles, see the specific title.

from Contingent funds. See *Contingent funds*.

of Discharge. See *Discharge*.

PURCHASING OFFICERS:

Examination of books, etc., by representatives of auditor and comptroller, 205k.

Funds may be kept in personal possession, 592.

Trading in subsistence stores prohibited, 591.

QUARANTINE:

Epidemic. See *Contagious diseases*.

State health laws to be observed, 1462.

Stations under the Secretary of the Treasury, 1463.

Vessels entering, etc., against regulations, 1464.

QUARTERMASTER AND COMMISSARY OF CADETS:

at Military Academy. See *Military Academy*.

QUARTERMASTER CORPS:

See also *Pay Department; Quartermaster's Department; Subsistence Department*.

APPOINTMENTS—

by Detail, how made, 495.

QUARTERMASTER CORPS—Continued.**APPROPRIATIONS—**

Available for purchase of reserve supplies, 616a.

Expenditures for subscriptions in advance, 520.

Pay of Army disbursed by officers of, 689, 689a-689c.

Printing, restrictions, 1236, 1236a, 1236b.

for "Supplies, services, and transportation" created, 689a, 689b.

BRIGADIER GENERAL—

Permanent vacancy, to cease and determine, 502.

Chief. See *Chief of Quartermaster Corps; Quartermaster General*.

CIVILIAN EMPLOYEES—

Authorized to enlist in, 505.

Certain, replaced by enlisted men, 505.

Field clerks, 633a.

Pay clerks, rank, etc., 629, 630, 495a, 632a.

Restrictions upon salary and number, 570, 570a.

Commissary sergeants. See *Commissary sergeants*.

Composition, 495a.

CONTRACTS—

Certain, reduced to writing, 1211a.

Creation, 495.

DUTIES—

Construction and repair, 515a.

Disbursements by officers as agents of officers of, 499a.

Disbursement of Army pay appropriation, 689, 689a-689c.

Disbursement of pay to National Guard, 1330j.

Disbursement of various appropriations, 689a, 689b, 689c.

Enumerated, 500.

Pay reserve officers and enlisted men, Aviation Section, Signal Corps, 879h.

ENLISTED MEN—

Authorization, to replace civilian employees, 505.

Composition and number, 505, 506, 506b.

Composition and pay, 506a.

Enlistment of cook instructors, 506c.

Excluded from line of Army, 332e.

Establishment, 495.

Field clerks, 633a.

Master electricians, title changed, 514b.

Military storekeeper, grade revived, 513a.

OFFICERS—

Brigadier generals, decrease of one, 502.

Composition, 497.

Details of, how made, 495.

Disbursements by officers as agents of, 499a.

Duties. See this title, *Duties*.

First lieutenant, appointment of pay clerk, 632a.

QUARTERMASTER CORPS—Continued.

OFFICERS—Continued.

to Form one list for filling vacancies, 495.

Number of, from captains to colonels, 497.

Regimental commissaries, etc., to perform duties, 498.

Second lieutenants, appointment of pay clerks, 495a.

Six captains promoted to major, 496.

Storekeeper revived for appointment of Chas. P. Daly, 513a.

Vacancies, how filled, 495, 497.

Part of Regular Army, 331a.

Pay clerks. See *Pay department*.

Quartermaster sergeants. See *Quartermaster sergeants*; *Master electricians*.

Supervision by Chief of Staff, 503.

SUPPLIES—

Issue to schools for instruction camps, 954c.

Loans of tents restricted to G. A. R. and U. C. V., 1259b.

RESERVE OFFICERS' TRAINING CORPS—

Issue of public animals, etc., to institutions maintaining units, 1562.

Issue of tentage, etc., to other schools, 1563.

Sale to Navy and Marine officers, 588a.

Sales of cloth cuttings, 578a.

Sales of surplus ice, 521, 521a, 521b.

QUARTERMASTER GENERAL:

See also *Quartermaster's Department*.

In Absence, officer detailed to act, 146.

Account to Secretary of War for money every three months, 1259j.

Charges against officers for loss of property, 1256.

Money in hands of subordinates, not liable for, 387.

Property in hands of subordinates, not liable for, 387.

Rank and pay of, 501, 373a, 495a.

Regulations for property accountability to be prescribed by, 1259i, 1259a.

Title, 501a.

QUARTERMASTER SERGEANTS:

Authorization and appointment, 514, 514a.

Designation changed, 496.

Duties, 514.

Master electricians to be known as, 514b.

Number, 506a.

Pay and allowances, 514, 695, 695a.

Qualifications for appointment, 514a.

Senior grade, pay, 695a.

Supplies. See *Quartermaster's Department*.

QUARTERMASTERS, ARMY:

Acting, staff duty, retired officer when assigned to duty as, 975b.

Claims of, jurisdiction of Court of Claims, 277.

Losses by, Court of Claims decree, 280.

any Officer may act temporarily, 499.

QUARTERMASTERS, ARMY—Continued.

Regimental, battalion, etc., duties, 498, 499, 938.

Regimental, horses allowed, 554.

QUARTERMASTER'S DEPARTMENT:

See also *Quartermaster Corps*.

APPOINTMENTS—

Discontinued, details in lieu thereof, 936.

APPROPRIATIONS—

Contracts for stores in advance of, 1190.

Expenditures from, restricted, 1291.

Payments from total available balance, 523.

for Shelter of troops in Philippines, 548.

CIVILIAN EMPLOYEES—

Number limited, 569, 570, 570a.

Salaries limited, 569, 570, 570a.

Composition, 507.

Consolidation into Quartermaster Corps, 495.

DUTIES—

Deductions from mileage allowances, 685.

Supplies, purchase and distribution, 515.

Supplies, etc., to naval and marine detachments, 517.

Transportation for Army, 515.

ENLISTED MEN—

Army service detachment, number, 1170.

Army service men, enlistment of, 1168.

Army service men, no extra pay, 1169.

OFFICERS—

Bond, President may increase, 388.

Bonds, sum and condition, 387.

Bonds, waiver, 387a.

Contracts, not to be interested in, 519.

Disabilities, 519.

Duties, 515, 515a.

Increase in number, 508.

Transportation of property for surveys, 532.

Vacancies in certain grades, how filled, 511.

Organization, 507.

PRINTING—

Contract, after advertising, exception, 1236, 1236a, 1236b.

Done by Government Printing Office, 1236.

PROMOTIONS—

by Seniority, 509.

Property. See this title, *Supplies*.

Quartermaster General. See *Quartermaster General*.

Quartermaster sergeants. See *Quartermaster sergeants*.

Quartermasters. See *Quartermasters, Army*.

STOREKEEPER—

Abolishment of office, 512.

Revived for appointment of Chas. P. Daly, 513a.

QUARTERMASTER'S DEPT.—Cont'd.

Supervision by Chief of Staff, 503.

SUPPLIES—

Accountability system to be prescribed, 1259i.

Contracts for, before appropriation, 1190.

Issue to educational institutions for instruction camps, 954c.

Issued to militia, title in United States, 1358, 1361.

Loan of tents, restrictions, 1259b.

Proceeds from sales, availability, 522.

Purchase from Indians, 1240.

Purchase of, on Pacific coast, 1205.

Transportation. See *Transportation*.**QUARTERS, ARMY:**

for a particular class of officers or enlisted men, see the specific title.

Allowance, 651a.

Assignment of, in kind, according to rank, 551.

Barracks. See *Barracks*.

Brick house at proving ground not "public quarters," 825a.

Commutation appropriation, 668c.

Commutation for details abroad, 673.

Commutation, duty "without troops," 671, 671a.

Commutation rates, 670.

Commutation to retired officers at colleges, 945, 946.

Commutation, where no public quarters, 668, 668a.

Heat and light for authorized allowance, 556.

for Militia officers attending schools, 1334.

for Officers, limit of cost, at posts, 547, 547a.

Officers not occupying, at proving ground, 825b.

Officers temporarily on duty in field, 552, 672.

Permanent, cost limited, 547.

Plans and estimates for permanent, 1289a.

"Public quarters available," Secretary of War to determine, 668b.

for Servants not allowed, 670.

Temporary, aviation stations on public lands, 869rr.

RADIO COMMUNICATION:

Censorship of, during present war, 1425e, 1425f.

Evading censorship, punishment, 1425f.

RADIO COMPANIES:Commercial, forwarding charges. See *Telegraph lines*.**RADIODYNAMIC TORPEDO CONTROL:**

Installation of unit, 1615.

Patents, issue to United States, 1614.

Purchase of inventions, 1612.

Tests, 1613.

RADIO SERGEANT:

Pay, 695a.

RAFTS:

Army transports to be equipped with, 536.

RAILROADS:See also *Common Carriers; Transportation*.

Commandeering or requisitioning in time of war, 525b.

Control of transportation systems in time of war, 525b.

Employment of armed force, obstruction of interstate commerce over, 525c.

Requisitioning or commandeering in time of war, 525b.

RAILROADS, BOND-AIDED. See *Bond-aided Railroads*.**RANK, ARMY:**

for rank of a particular class of officers or enlisted men, see the specific title.

Allowance for loss of files by increase of arm, 931b.

Army Register to contain lineal, 326.

Brevet. See *Brevet rank*.

Commissioned service in Marine Corps counted, 353a.

Equal, may not be held in both line and staff, 934.

Lineal, advancement of officers who lost by regimental promotion, 929.

Officers, precedence over drafted forces, 1339m, 1339n.

Officers, professors, Military Academy, 1126.

Officers, volunteer service does not affect, 1007.

Relative, between officers of same grade, 353.

Relative, of Coast and Geodetic Survey when serving with, 534n.

Relative, reorganization act not to change, 1102.

Relative, with officers of Navy, 352, 352a.

Second Lieutenants appointed under national defense act, 331g.

Service in Officers' Reserve Corps not counted, 1552.

RATED MEN:

Coast Artillery Corps, 1086b.

Medical Department, 765a, 765b.

RATIONS, ARMY:

for a particular class of officers and enlisted men, see the specific title.

Cash to retired enlisted men in lieu of, 714, 715.

Coffee and sugar, commutation of, 601, 602.

Coffee and sugar, in kind issued weekly, 600.

Competitors in rifle matches, 611a.

COMMUTATION—

Cadets, Military Academy, 611b, 611c.

Enlisted men on furlough, etc., 611b, 611c.

General hospitals, rates, 611b, 611c.

General prisoners, rates, 611b, 611c.

RATIONS, ARMY—Continued.**COMMUTATION—Continued.**

- Nurse Corps, rate, 611b, 611c.
- Regular Army Reserve, ordered to active duty, 611c.
- Retired enlisted men ordered to active duty, 611c.
- Constituents, change by President, 593.
- Constituents, prescribed by President, 593.
- Emergency, in addition to regular, 595.
- Enlisted men entitled to one dally, 596, 597.
- Enlisted men on furlough, 611, 611b.
- Interest of certain officers in purchase or sale prohibited, 591.
- Issuance to Indians, may be authorized, 599.
- to Naval or marine detachments, 590, 304a, 304b.
- Sale to officers, amount deducted from pay, 692.
- Sale, to officers in field authorized, 605.
- Special for soldiers recovering from sickness, 594.
- Supplies for, purchase of, 586.

REAL PROPERTY:

- Civil rights of citizens with respect to, 1443.

REAPPROPRIATION:

- of Unexpended balances, 191a.

REAR ADMIRALS, NAVY:

- Relative rank of, with officers of the Army, 352.

REBELLION:

- See also *Insurrection*.
- Inciting, etc., punishment, 1415g.
- Militia may be called to suppress, 1330, 1340.

War of. See *Civil War*.

RECEIVERS OF PUBLIC MONIES:

- See also *Public moneys*.
- Duties of, as fiscal agents, 185.

RECESS APPOINTMENTS. See Appointments.**RECORD AND PENSION OFFICE:**

- See also *Adjutant General's Department*;
- Military Secretary's Department*.
- Appropriations, availability, 435.
- Assistant chief, rank, 433.
- Chief rank, 433.
- Establishment, 432.
- Merged into Military Secretary's Department, 434.
- Pension business of War Department, 438.
- Records of militia in war, filed in, 439.
- Records of volunteer armies, custody, 432, 438.
- Records of volunteers, on disbandment, 439.
- Records of wars prior to Civil War, custody, 441.
- Removal of charge of desertion on rolls, 443, 454.

RECORDING CLOCKS:

- Use, in executive departments, forbidden, 121.

RECORDS:

- See also *Documents, Articles of War*.
- Destruction, mutilation of public, penalty, 129.
- Destruction, etc., of public, by custodian, 130.
- as Evidence. See *Evidence*.
- False or fictitious entry by custodian, 171.
- Forgery, etc., public, penalty, 131.
- of Indian wars, 441.
- Preservation, regulations by department heads, 19.
- of Revolutionary wars. See *Revolutionary War*.
- of War of 1812, 440.

RECRUITING:

- See also *Enlistment*.
- Obstructing, punishment, 1317d.
- for Service against United States, punishment, 1415j.
- of Volunteers. See *Volunteer Army*.

RECRUITING DEPOTS:

- Bands, 1099a.
- Cooks, extra-duty pay, 563b.
- Corporals, temporary, 704b.
- Detachments, 704.
- Detachments part of Regular Army, 331a.
- Enlisted men, detail, and pay, 704a.
- Mess stewards, extra-duty pay, 563b.
- National defense act, effect on, 1106a.
- Regimental sergeant, major, 791c.
- Retired officers, 958.
- Sergeants, temporary, 701b.

RECRUITING PARTIES:

- National defense act, effect on, 1106a.
- Part of Regular Army, 331a.

RECRUITS:

- Debts due traders, etc., deducted from pay, 723.
- Employment of physicians to examine, 779.
- Excessive enlistment for foreign service, 332a.
- Mounted service school, depot for certain, 1186.
- National Guard. See *National Guard Reserve, reserve battalions*.
- Premium for accepted, 1032.
- Premium for accepted, repealed, 1032b.
- Premium for, to postmasters, 1032a.

UNASSIGNED—

- Excluded from strength of line, 332e.
- National defense act, effect on, 1106a.
- Part of Regular Army, 331a.
- Ratio to authorized strength, 332c, 332f.
- Volunteers. See *Volunteer Army*.

RECRUIT TRAINING UNITS:

- National Army, draft, organize and equip, 1635.

RED CROSS. See *American National Red Cross*.

REEDUCATION. See *Vocational training*.

REENLISTMENT. See *Enlistment*.

REGIMENTAL COURTS-MARTIAL. See *Courts-martial*.

REGIMENTAL POSTS:

Transfer of enlisted men to organizations at, for vocational training, 1293d-1293g.

REGIMENTAL QUARTERMASTER:

Horses allowed, 554.

REGIMENTAL SERGEANT MAJOR:

Recruiting depots, 704c.

REGIMENTAL SUPPLY SERGEANT:

Pay, 695a.

REGIMENTS:

Cavalry, 331a, 1071, 1071a, 1072.

Cavalry, provisional organization into Field Artillery or Infantry, 1071b, 1071c.

Composition of, not to be increased, 356c.

Corps of Engineers, 790a.

Field Artillery, 331a, 1090, 1090c.

Infantry, 331a, 1095, 1095a, 1096.

Number not to be decreased, 356c.

Signal Corps, 890l, 890j.

REGISTER. See *Army Register*.

REGISTERED MAIL. See *Mail matter*.

REGISTRATION:

See *National Army, Draft*.

REGULAR ARMY:

See also *Army*.

Authorized strength not reduced by increase of Signal Corps, 879i.

Composition, 331, 331a.

Comprises permanent military establishment, 330, 331a.

Constitutes part of land forces, 328, 329, 329a.

Discharge of enlisted men on termination of emergency, 1031h.

Increase in emergency, 331b, 331c.

Increase in increments, 331b.

Lieutenant general in, abolished, 350.

MAXIMUM STRENGTH—

Draft or voluntary enlistment to maintain, 1637.

Officers. See *Officers, Army*.

Part of Army of United States, 329a.

Recommissioning former officers in, 331a.

Sale of horses and mules not required for, 538a.

Strength, authorized, not reduced by increase of Signal Corps, 879i.

Strength, maximum, 332, 332e.

Strength, minimum, 332d.

Tactical units of, 356a.

REGULAR ARMY AND NAVY UNION:

Badges of, who may wear, 1021, 1022.

REGULAR ARMY RESERVE:

See also *Enlisted Reserve Corps*.

Allowances when reporting, 1031i.

Assignments to service, 1031g.

Commutation of rations when ordered to active duty, 611c.

Composition, 1031, 1031f.

REGULAR ARMY RESERVE—Continued.
Details with Reserve Officers' Training Corps, 1561.

ENLISTMENTS—

at Outbreak of war, continued, 1031b, 1031h.

Qualifications, 1031f.

Field Artillery war units, 1090b.

FURLOUGH TO—

on Account of dependent family, 1044a.

Accounts closed, 1031e.

After one year, 1031c.

on Discharge by purchase, 1043a.

Government employees, use in mobilizing, paying, etc., 1031n.

Mobilization, 1031g, 1031n.

Officers assigned to, 1031g.

Organization, 1031g.

Parts of Regular Army, 331a.

PAY—

Active service, in time of war, 1331j.

Annual retainer, 1031i.

Bounty upon reporting for active duty, 1031i.

Continuous service, 1031k.

In Training, 1031g.

Pensions, 1031m.

Reenlistments in time of war, bounty, 1031o.

Retirement, service confers no right to, 1031m.

Training, annual, 1031f.

Use of other departments in mobilizing, paying, etc., 1031n.

REGULATIONS, ARMY:

President authorized to make, 324.

Volunteer forces subject to, 1385.

REINSURANCE COMPANIES:

Allen enemy. See *Trading with enemy; License*.

RELATIVE RANK. See *Rank, Army*.

RELIGIOUS ORGANIZATIONS:

Members of certain, exempt from Army duty, 1324, 1323a.

Members of certain, exempt from selective draft, 1644.

REMAINS:

of Civil employees who die abroad, 1063.

of Officers and enlisted men, 1063.

REMOUNT DEPOTS:

Donations of sites, 1274a.

for Volunteer forces, establishment, 1385.

REMOUNT DETACHMENTS:

of Cavalry, at remount depots, 1080.

Enlisted men, organization, 541, 1070.

Part of Regular Army, 331a.

REMOVAL:

of Civil-service employees, 42.

of Desertion charge. See *Desertion*.

REMUSTER:

of Volunteers. See *Volunteer Army*.

REPATRIATION:

American citizens who have enlisted in foreign armies, 1468c.

Citizenship acquired, 1468g.

REPATRIATION—Continued.

- Claim of United States for pension, etc., on account of foreign service, 1468d.
- Duty of consular officers or court, 1468f.
- Joint regulations by Secretaries of State and Labor, 1468h.
- Procedure for, 1468e.

REPEAL:

- of Acts in revision of Revised Statutes, 314.

REPORTS:

- of a particular office or officer, or on a particular subject, *see the specific title*.

AIRCRAFT BOARD—

- Annual, to Congress of salaries of clerks, etc., 889iii.
- of Executive departments. *See Executive departments.*

REPRIEVES:

- Power in President, to grant, 2.

REQUISITIONS:

- for Advances of money, 237.

REQUISITIONING FOR MILITARY PURPOSES:

- Coal and coke plants, on failure to conform to price regulations, 1746-1749.
- Distilled spirits in bond or in stock, 1731, 1732.
- Factories, packing houses, oil pipe lines, mines, 1708-1713.
- Food and fuel. *See Food and fuel conservation; Requisitioning for public defense.*
- Lands for coast defenses, fortifications, etc., 802d.
- Lands for proving ground on failure to purchase, 1274i-1274n.
- Mines, 1708-1713.
- Munitions plants, in time of war, 1601.
- North Island, Cal., as site for aviation stations, 1274g.
- Oil pipe lines, 1708-1713.
- Packing houses, 1708-1713.
- Plants, etc., for shipbuilding. *See Emergency shipping fund, Table of Related Statutes.*
- Railroads. *See Transportation systems.*
- Transportation systems, in time of war, 525b.
- Vessels belonging to Germany within jurisdiction of United States, 1415b, 1415c.

RESERVATIONS:

- See also Military posts; Military reservations; Public lands.*
- Inclosures on, breaking, etc., penalty, 1314.
- Rights of way across, 1282, 1283.
- Survey monuments on, molesting, penalty, 1313.
- Timber on, cutting, etc., penalty, 1311, 1312.
- Unlawful inclosures, removal, 1318.

RESERVE:

- Army. *See Regular Army Reserve; Enlisted Reserve Corps.*

RESERVE—Continued.

- Militia. *See Militia.*
 - National Guard. *See National Guard Reserve.*
 - Officers. *See Officers' Reserve Corps.*
- RESERVE OFFICERS' TRAINING CORPS:**
- Age, minimum, 1559.
 - Appointment of graduates as temporary second lieutenants, 1570.
 - Appointment of graduates in Officers' Reserve Corps, 1565.
 - Appointment of National Army officers from, 1630.
 - Arms and accouterments, issue, 1562.
 - Camp, citizens designated for commissions, pay, 1547b.
 - Commutation for uniforms supplied by educational institution, 1562a.
 - Credit for military training other than with, 1568.
 - Detail of enlisted men with, 1561.
 - Detail of officers as professors, 1560.
 - Detail of officers as professors, required, 1555, 1557.
 - Eligibility to membership, 1559.
- ESTABLISHMENT—**
- Conditions precedent, 1555, 1557.
 - at Other than State institutions, 1556.
 - at State institutions, 1554.
- FIRST CORPS CADETS, MASSACHUSETTS—**
- Ancient privileges not waived, 1553d.
 - Designated as unit of senior division, 1553a.
 - Subject to rules and regulations prescribed for, 1553b.
 - Waiving of drill, etc., as to National Guard organization, 1553c.
- Horses, issue, 1562.**
- Junior division, 1553.**
- Maintenance in civil schools, 1553.**
- Organization for camp training, 1564.**
- Post graduates' eligibility for Officers' Reserve Corps, 1566.**
- Senior division, 1553.**
- Subsistence after two years, 1567.**
- Training camps, 1564.**
- Training, prescribed, 1558.**
- Voluntary service, accept for training of, 1544b.**
- RESTORATION TO DUTY:**
- of Civil deserters, etc., pension, 446.
 - of Military convicts, 488, 488a, 488b.
- RETAINED PAY:**
- Abolished, exception, 707.
- RETIREMENT, ARMY:**
- of a particular class of officers or enlisted men, *see the specific title.*
- ENLISTED MEN—**
- Active duty, grades and pay, 1044b.
 - Allowance in cash in lieu of clothing, etc., 715.
 - Appointment as officers in National Army, 1630.
 - Application after 30 years' service, 713, 1038.

RETIREMENT, ARMY—Continued.

ENLISTED MEN—Continued.

Commissioned service in Porto Rico Regiment or Philippine Scouts, 709, 710.

Commutation of rations when ordered to active duty, 611c.

Credit for Army, Navy, or Marine service, 1038.

Credit for Civil War service, 713, 1039.

Credit for commissioned service in National Guard, etc., 1043d.

Credit for foreign service, 1040, 1042.

Credit for war service, 1039.

Detail on recruiting duty, 1392.

Detail with Reserve Officers' Training Corps work, 1561.

National defense act, effect on, 1106a.

Part of Regular Army, 331a.

Pay, receipt of, bar to disability compensation, 1438vvv.

Pay, 75 per cent of rank on which retired, 1038.

Reserve service confers no right, 1031m, 1589.

Subject to Articles of War, 2 A. W.

NONCOMMISSIONED OFFICERS—

See also this title, *Enlisted men*.

Application, after 30 years' service, 713.

Detail on recruiting service, 1392.

Detail to schools, etc., pay, 946.

Subject to Articles of War, 2 A. W.

OFFICERS—

on Army Register, 988.

Appointment as officers of National Army, 1630.

Appointment of former cadets as second lieutenant and, 1162f, 1162g.

ARTICLES OF WAR—

Subject to, 988, 2 A. W.

ASSIGNMENT TO DUTY—

See also this subdivision, *Transfer to active list*.

Acting quartermaster, staff duty, 975b.

Active duties to which assignable, 958.

Active with National Army, 1630.

Corps of Engineers, eligibility, 975d. with District of Columbia militia, 959, 1373.

to Educational institutions, 945-950. with National Guard, 1332b.

Rank and pay, 958f.

in Recruiting volunteers, 1392.

with Reserve Officers' Training Corps, 1560.

on River and harbor work, 799.

at Soldiers' Home, 956.

with State militia, etc., 957, 958.

Temporary command of post, 975a.

in War, restriction, pay, 961.

Command, withdrawn from 986.

RETIREMENT, ARMY—Continued.

OFFICERS—Continued.

DISCIPLINE—

Subject to Articles of War, 988; 2 A. W.

GROUNDS FOR RETIREMENT—

Age 62 years, 963.

Age 64 years, 964.

Application after 30 years' service, 962.

Application after 40 years' service, 962, 964.

Cadet service not counted, 657.

Credit for volunteer, etc., service, 655.

Disability, 968, 981, 982.

of General officers, restriction, 972.

Length of service, 963.

Not affected by act of June 30, 1882, 965.

for Panama Canal service, certain, on application, 927j.

Physical disability for promotion, 930, 931.

Staff detail does not postpone, 380.

Hearing, entitled to, 983.

Limited list. See this subdivision, *Number*.

National defense act, effect on, 1106a.

NUMBER—

Limited list of three hundred and fifty, 966.

Unlimited list, transfers from limited, 967.

Unlimited retired list, 965.

Part of Regular Army, 331a.

PAY—

on Active duty in time of war, 961a.

on Active duty, 974, 975, 958f.

Additional, for holding another office, 990.

Computation of longevity to include active duty, 975c.

on Duty at colleges, etc., 949.

on Duty at soldiers' home, 956.

Longevity prohibited, exception, 659, 975c.

Rates, 658.

Receipt, bar to disability compensation, 1438vvv.

Wholly retired, 660.

PROMOTION—

Withdrawn from line of, 986.

RANK—

Advanced, for Civil War, etc., service, 969a, 969b-969c.

Advanced, for service on Panama Canal, 927d.

Brigadier generals, certain, advanced, 970.

RANK ON RETIREMENT—

Actual rank held at time of, 984.

Advanced, for certain service, 969a, 969b-969c.

RETIREMENT, ARMY—Continued.

OFFICERS—Continued.

RANK OF RETIREMENT—Continued.

Advanced, for Civil War service, 969.

Advanced, for service on Panama Canal, 927c.

of Chief of Staff bureau, 376, 973.

Commissioned in advanced, 971.

if Retired for disability, 985.

Reserve not entitled to, 1571.

Retiring Board. See *Retiring Board*.

Secretaries to, not authorized, 989.

Territorial appointments, 960.

TRANSFER TO ACTIVE LIST—

See also this subdivision, *Assignment to Duty*.

on Disability list, examination, 958g.

Examination for promotion required, 958c, 958j.

Officers previously transferred entitled to benefits, 958e.

of Officers retired for physical disability authorized, 958a, 958d.

Panama Canal service, age limit, 958h-958k.

Promotion after, 958i, 958j.

Rank, grade, and arm, 958l.

with Rank to which entitled, 958b.

Subsequent retirement, 958k.

UNIFORM—

of Rank at which retired, 988.

Unlimited list. See this subdivision, *Number*.

Vacancies caused by—

Filled by promotion in order, 987.

RETIRING BOARDS:

See also *Retirement, Army*.

Composition, convening, 976.

Findings, items prescribed, 979.

Findings, revision by President, 980.

Oath of members, 977.

Officers entitled to hearing before, 983.

Organization, 976.

Powers and duties, 978.

RETURNS:

of Militia. See *Militia*.

of Property. See *Public property*.

of Volunteers. See *Volunteer Army*.

RETURNS OFFICE:

Extension of time for filing contracts in, 1211d.

Filing of contracts in. See *Contracts*.

REVENUE-CUTTER SERVICE:

Recommissioning former officers in Coast Guard, 1633.

Transportation of personnel on transports, 529.

REVIEWING AUTHORITY. See *Courts-martial*.

REVISED STATUTES:

Accrued rights not affected by revision, 315.

Certificate to, by Secretary of State, 312, 318.

Citation, manner of, 313.

REVISED STATUTES—Continued.

First edition 1874, 308.

Printed copies as evidence, 310, 318.

Repeal of acts embraced in revision, 314.

Repeal of certain sections relating to militia, 1320.

Revision, acts after December 1, 1873, not affected, 317.

Revision authorized, 307.

Revision, scope, 313.

Second edition, 318.

Sections, arrangement, reason, 316.

Supplement of 1891, as evidence, 320.

Supplement of 1891, authorized, 319.

Title of revision, 311.

REVOCABLE LICENSES:

to Use public lands. See *Public lands*.

REVOLUTIONARY RECORDS:

Appropriation for collecting, etc., 442.

Publication by Secretary of War, 442.

Transfer to Secretary of War, 440.

Transfer to War Department, 442.

REWARDS:

for Apprehension of deserters, 1056-1058.

for Apprehension of military convicts, 1058.

to Employees, for suggestions, 861, 864a, 864b.

RIFLE CLUBS:

See also *Citizens' training camps*.

Details of enlisted men as instructors in rifle practice, 954e.

Issue of rifles and ammunition to, 954a, 954b.

Issue of targets to, 954d.

Results of practice, filed, 1368.

Sale of rifles, etc., to, price, 1367, 1368.

RIFLEMEN, EXPERT. See *Expert riflemen*.RIFLE PRACTICE. See *Target practice*.RIFLE RANGES. See *Target ranges*.

RIGHT OF APPEAL:

from Court of Appeals. See *Court of appeals*.

RIGHT OF WAY:

to Militia in District of Columbia, 1466.

over Public lands. See *Public lands*.

RIGHTS:

Accrued, not affected by revision of R. S., 315.

Civil. See *Civil Rights*.

RIVER AND HARBOR WORKS:

Annual estimates to be submitted, 98.

Appropriations, unexpended balances, 192.

Dredging, etc., eight-hour law applicable, 1232.

Employment of retired officers on, 799.

Plans for improving, for fleet operations, 98a.

Two or more may be included in contract, 1210.

ROADS:

Across military reservations, when permitted, 1284.

ROADS—Continued.

Right of way for highways over public lands, 1283a.

ROBBERY:

of Public property from agent, penalty, 1265.

ROCK EXCAVATION:

Dredging and, eight-hour law applicable, 1232.

ROSETTES:

Showing attendance of enlisted Reserve Corps at encampments, 1583.

Unauthorized wearing of, penalty, 1584.

Worn in lieu of medals of honor, 1014, 1017.

SADDLERS:

Medical Department, percentage, 766e.

Pay, 695a.

ST. ELIZABETH'S HOSPITAL. See *Government Hospital for Insane.*

SALARY. See *Pay.*

SALES:

of a particular article or class of supplies, see *specific title.*

Army stores to employees abroad, 205t. of Public property, in general. See *Public property.*

Statement of proceeds separate from Book of Estimates, 100a.

SANITARY EQUIPMENT:

Loan to Red Cross, 775b, 775c, 775d.

SANITARY TRAIN:

Composition, 356a.

SATURDAYS:

Half holiday in District of Columbia, 53.

SCHAAF, BERNARD A.:

Pay and retirement, 339e.

SCHOOLS:

See also *Colleges; Educational institutions.*

for Bakers and cooks, prizes for graduates, 1188.

Cadets, entitled to wear uniform, 1010b-1010d.

Detachments at, organization, 1183.

for Enlisted men at posts and garrisons, 1293.

for Fire for Field Artillery, object, 1183.

Instructions to aviation students at technical, 889xx.

Issue of rifles and ammunition to certain, 954a, 954b.

of Line, Army, object, 1183.

SCOUTS. See *Indian scouts; Philippine Scouts.*

SCREW THREADS:

Cooperation of departments, bureaus, etc., in standardizing, 1611a.

SEA AREAS. See *Defensive sea areas.*

SEACOAST DEFENSES. See *Coast defenses.*

SEACOAST FORTIFICATIONS. See *Coast defenses.*

SEAL OF UNITED STATES:

Adoption, 1530.

Affixed to commissions of civil officers, 1531.

SEAL OF UNITED STATES—Continued.

Counterfeiting, etc., punishment, 1531b.

Custody in Secretary of State, 1531.

Fraudulently affixing, etc., punishment, 1531a.

SEAL OF WAR DEPARTMENT:

Commissions of officers issued under, 925.

Counterfeiting, fraudulently affixing, etc., 1531a-1531c.

SEAMEN:

Allen, naturalization of, 1066.

SEARCH WARRANTS:

Affidavits and depositions, 1449d, 1449e.

Authority to issue, 1449a.

Breaking and entering, service, 1449h.

Breaking and entering to liberate detained person, 1449l.

Copy to person on whom served, 1449l.

Daytime, service in, 1449j.

Depositions. See this title *Affidavits and depositions.*

Examination of applicant and witnesses, 1449d.

Existing laws not repealed, 1449v.

Filing papers with clerk of court having jurisdiction, 1449q.

Grounds for issue, 1449b.

Inventory. See this title *Property taken.*

Issuance of, contents, 1449f.

Malicious procuring issuance, punishment, 1449t.

Obstructing, etc., service or execution, punishment, 1449r.

Officer exceeding authority, punishment, 1449u.

Opening letters under authority of, 253b.

Perjury or subornation of perjury in connection with, 1449s.

Probable cause and affidavit, 1449c.

PROPERTY TAKEN—

Copy of inventory to applicant, 1449n.

Copy of inventory to person from whom taken, 1449n.

Inventory of, 1449m, 1449n.

Receipt for, 1449l.

Restoration of, 1449p.

Punishments. See throughout this title.

Receipt to person from whom property is taken, 1449l.

Restoration of. See this title, *Property taken.*

Return, inventory of property taken, 1449m.

Service, breaking and entering, 1449h, 1449l.

Service in daytime, 1449j.

Service of, 1449g.

Service of, time for and return, 1449k.

Taking testimony, 1449o.

Time for service and return, 1449k.

SEAS:

Jurisdiction over offenses committed on high, 300.

Seizures on, condemnation proceedings, 301, 302.

SEA TRAVEL:

See also *Transportation.*

SEA TRAVEL—Continued.

Enlisted men on discharge, to what entitled, 1046, 1046a.

Officers on discharge, actual expenses only, 683.

Surgeons, etc., actual expenses only, 682.

What to constitute, 682.

SECOND LIEUTENANTS, ARMY:

of a particular branch of the service, see the specific title.

Appointment. See *Officers, Army*.

Appointment of former cadets and retirement as, 1162f, 1162g.

Pay, 635.

Promotion during probationary period, 918a.

Provisional, 918a, 331c $\frac{1}{2}$.

Provisional, discharge of, 331c $\frac{1}{2}$.

Rank, appointed under national-defense act, 331g.

Relative rank with officers of Navy, 352.

Temporary, for training, 1570, 1571.

Vacancies caused by increase of Army, how filled, 331d, 331d $\frac{1}{2}$.

Vacancies caused by national-defense act, how filled, 331f.

Vacancies, original, how filled, 331e.

Vacancies, order and method of filling, 918.

Waiver of age limit of candidates for, 331d $\frac{1}{2}$.

SECRETARY OF THE INTERIOR:

See also *Executive departments; Heads of departments; Interior Department*.

Authorized to grant rights of way, 1282, 1283.

Indian agents, under orders of, 940, 1397.

SECRETARY OF LABOR:

See also *Executive departments; Heads of departments*.

Duty with regard to claims for injuries, 66.

SECRETARY OF SENATE:

Distribution of Senate documents, 1172.

SECRETARY OF STATE:

See also *Executive departments; Heads of departments*.

Acting as agent of foreign government without notice to, 1672.

Custody of seal of United States, 1531.

Duties, with reference to Revised Statutes. See *Revised Statutes*.

SECRETARY OF THE TREASURY:

See also *Executive departments; Heads of departments; Treasury Department*.

Accounts. See also *Accounting of public money*.

Accounts, regulation by, 196.

Advance of money, action on requisitions, 237.

Appropriations, disposition of balances, 191, 192.

Claims. See *Claims*.

Contracts for electricity made by, 1197.

Delinquent accounts, report of, 199.

Designation of public depositories, 182.

SECRETARY OF THE TREASURY—Con.

Distress warrants. See *Distress warrants*.

Estimates. See *Estimates*.

Outstanding liabilities, certificate as to, 242.

Property, deposit of certain with. See *Alien Property Custodian; Trading with enemy*.

Quarantine stations under control of, 1463.

Records, copies of, by, 246.

Set-offs of United States, enforcing, 239.

Supplies for departments, purchase of, 1197.

Surety companies. See *Surety companies*.

Warrants to be signed by, 237.

SECRETARY OF WAR:

For particular matters relating to the War Department, see the specific titles.

See also *Executive departments; Heads of departments; War Department*.

Acting Secretary designated by President, 143.

American National Red Cross, annual reports to, 104a, 104b.

ASSISTANT SECRETARY—

Appointment, 142.

Creation of office, 142.

Claims. See *Claims*.

Clothing. See *Clothing, Army*.

CONTRACTS—

Bids, regulations for, 1206.

for Supplies, supervision over, 1189.

Creation of office, 141.

DISCIPLINARY BARRACKS—

Clemency and restoration, 488a.

to Exercise supervisory control over, 477a.

Report of affairs of, 477a.

ESTIMATES—

Fortifications, report on employees, 818.

for River and harbor works, 98.

Signal Office, report of employees, 895.

INSPECTIONS—

of Disbursements, and necessity therefor, 412.

Reports of, to Congress, 462.

MANEUVERS—

Regulations for, 1298.

Report to Congress of joint, 1329.

Mileage. See *Mileage*.

Militia. See *Militia*.

OPEN-MARKET PURCHASES—

Approval of, exceeding \$500, 1200.

Exceeding \$200, reported to, 1198, 1199.

of Horses, may fix maximum price, 541, 542.

Plans for improving harbors for fleet operations, 98a.

POWERS AND DUTIES—

See also throughout this title.

Action final as to dependent families of enlisted men, 1347b.

Approval of expenditures for buildings, 1291.

SECRETARY OF WAR—Continued.

POWERS AND DUTIES—Continued.

- Custodian of property of department, 148.
- Duties enumerated, 147.
- Flags and colors, captured, collected, 149.
- Guns, determination of bore and caliber, 852.
- Indian country, removal of cattle, 1402.
- to Inspect military prison annually, 478.
- Military forces, instruction, 1297.
- Military records, collection, etc., 440, 442.
- Permits for examination of ruins, etc., 1286.
- Public property, inventory and return, 109.
- Regulations, accounting for Army supplies, 1259a.
- Report as to land and buildings required for airships for coast defenses, 1274d.
- Statue of Liberty, to keep in repair, 1288.
- Supervision of department, 147.
- Public lands. See *Public lands*.
- Quarters. See *Quarters, Army*.

REPORTS—

- Annual, expenditures for military establishment, 44g.
- Annual, to include reports of inspections, 462.
- Branch Volunteer Homes which can be discontinued, 1502a.
- of Disciplinary barracks affairs, 477a.
- of Inspections of accounts to Congress, 412, 413.
- Militia, expenditures for arms, etc., 1336.
- Permanent military posts, 1289a.
- of Unexpended balances, 193a.
- Request registration for Army transports, on sale of, 150b.

SUPPLIES—

- Prescribe kinds, etc., to be purchased, 516.
- Regulations for transportation, etc., 516.
- Transportation of troops. See *Transportation*.

SECRET SERVICE AGENCIES:

- Establish by volunteer forces, 1385.

SEDITIONOUS CONSPIRACY. See *Conspiracy*.

SEIZURES:

- of Property on high seas, condemnation, 301.

SELECTIVE DRAFT. See *Selective-Service act; National Army, Draft*.

SELECTIVE-SERVICE ACT:

- See also *National Army*.
- Draft. See this title under *National Army*.

SELECTIVE-SERVICE ACT—Continued.

- Employees under food and fuel conservation act subject to, 1737.
- MAXIMUM STRENGTH OF DRAFTED NATIONAL GUARD—
- Voluntary enlistment or draft to maintain, 1637.
- MAXIMUM STRENGTH OF REGULAR ARMY—
- Voluntary enlistment or draft to maintain, 1637.
- Officers, line and staff, for forces raised by, 1630.
- Organization of forces under, same as for Regular Army, 1631.
- Penalty envelopes, use for correspondence under, 1650.
- Punishment for failure to perform required duties under, 1660.
- Punishment for false registration under, 1660.
- Repealing clause, 1669.
- Utilize service of departments and officers of United States and States, etc., 1658.

SENTENCES. See *Punishments*.

SEQUOIA NATIONAL PARK:

- Detail of troops for protection, 1301.
- Rights of way through, 1282.

SENATE. See *Congress*.

SENATE DOCUMENTS:

- Military Academy library furnished, 1172.

SERGEANT BUGLER:

- Pay, 695a.

SERGEANTS:

- See also *Noncommissioned officers*.
- Bands, pay, 701.
- Cook instructors, Quartermaster Corps, 506c.
- Commissary. See *Commissary sergeants*.
- Details. See *Details*.
- Medical Department, percentage, 766d.
- Mess, pay, 697.
- Ordnance. See *Ordnance Department*.
- Pay, 695, 695a.
- Quartermaster. See *Quartermaster sergeants*.

- Recruit depots, 704b.

- Signal Corps, percentage, 890a.

SERGEANTS, FIRST CLASS:

- Medical Department, percentage, 766d.
- Signal Corps, percentage, 890a.

SERUMS:

- Surgeon General, member of board on, 780.

SERVANTS:

- Enlisted men not to be used as, 1068.
- for Officers, quarters not allowed, 670.

SERVICE SCHOOLS:

- Civilian employees, pay, 362, 362a, 362b.
- Detachments of enlisted men, organization, 1183.
- Detachments, effect of national-defense act, 1106a.
- Detachments part of Regular Army, 331a.
- Instructors, leaves of absence, 1187.

SERVICE SCHOOLS—Continued.

Purchases of horses for, 542.
for Theoretical and practical instruction, 1183.

SERVICES:

for Executive departments. See *Executive departments*.

for Military Establishment, contracts, 1189.

Voluntary, officers of Officers Reserve Corps, acceptance for certain purpose, 1544b.

Voluntary, prohibited, exception, 37.

SET-OFFS:

to Claims. See *Court of Claims*.

SETTLEMENT:

of Accounts. See *Accounting of public money*.

of Claims. See *Claims*.

SETTLERS:

on Indian lands, removal of unauthorized, 1400.

SEWING MACHINES:

Exchange on purchase of new, 1261a.

SHARPSHOOTERS:

Additional pay for qualifying, 699, 699a.

SHEEP:

Driving, etc., across military reservations, 1284.

SHELTER OF TROOPS:

in Philippines, report of expenditures for, 548.

SHERMAN ANTITRUST ACT:

Not repealed by provisions of Food and Fuel Conservation Act, 1766.

SHIPPING BOARD:

Purchase or charter of vessels suitable for Army transports, 534e.

Transfer of military vessels to, 534f.

SHIPS:

See also *Vessels*.

Turned over to Army, cost of, excepted from appropriations for, 534g.

SHOOTING GALLERIES:

Authorization, to be open to militia, 553.
Militia appropriations may be expended, 1353.

SHORE DUTY:

of Marine detachments. See *Marine Corps*.

of Naval detachments. See *Navy*.

SIBERT, WILLIAM L.:

Promoted to brigadier general, 927b, 927e.

may Retire on application, 927j.

Thanks of Congress tendered, 927a.

SICK LEAVE:

with Pay may be granted to employees, 50.

Employees of armories and arsenals, not affected by annual leave, 857h.

SICK REPORTS:

of Volunteers, disposition, 439.

SICKNESS:

Absence of officers on account of, 681.

SIGNAL CORPS:

See also *Chief Signal Officer*.

Accounts, settlement with other bureaus, 901b.

Aero squadron, organization, 890b.

Aeroplanes, exchange in part payment for new, 1261b, 1261c.

Appointments and promotions in, 884.

Appropriations for support, 882, 889zz.

AVIATION DUTY—

Details on, number and term, 889.

Married officers eligible, 889r.

Pay and allowances while on, 889, 889q.

Aviation fields. See *Aviation fields*.

Aviation Posts. See *Aviation Posts*.

Aviation schools. See *Aviation schools*.

AVIATION SECTION—

See also *Acronautics, Advisory Committee for*.

Accidents, payment to beneficiary in case of death by, 889n.

Aerial machines, manufacture or purchase of, 889pp.

Aero squadron organization, 890b, 890l.

Aircraft Board. See *Aircraft Board*.
Aircraft appointments, development of suitable types, 889vv.

Aircraft equipment, purchase or manufacture, 889pp.

Airplanes, development of suitable types, 889vv.

Airships, manufacture, purchase, etc., 889pp.

Appointment of general officers, 879f.

Appropriation for, 889zz.

Appropriation for airships, 889bb.

Aviation examining boards, composition, 889k.

Aviation mechanicians, authorized number, 889i, 889nn, 889oo.

Aviation mechanicians, pay, 889j, 889oo.

Aviation motor, development, 889dd.

AVIATION STATIONS—

Barracks, temporary, on public lands, 889rr.

Building necessary for, 889rr.

Condemnation, etc., of lands for, 889qq.

Donation of lands for, 889qq.

Establishment of, 889qq.

Hospitals, temporary, on public lands, 889rr.

Public lands for buildings on, 889rr.

Purchase of equipment, etc., for, 889rr.

Quarters, temporary, on public lands, 889rr.

Aviation students, instructions at technical schools and colleges, 889xx.

Aviation students, qualifications, etc., 889d, 889e.

SIGNAL CORPS—Continued.

AVIATION SECTION—Continued.

Aviators, civilian, 889t, 889w.
 Balloon mechanics, grade and pay, 889nn, 889oo.
 Basic patents for manufacture or development of aircraft, 889ff, 889hh.
 Buildings for equipment, etc., of 889pp.
 Clothing and apparel, special, for, 889ss.
 Composition, 879a, 879b, 889b, 889d, 889i.
 Creation, 889a.
 Development of suitable types of aviation engine, etc., 889vv.
 Duties enumerated, 889a.
 Enlisted men, instruction in art of flying, 889j, 889r.
 Enlisted men, number and pay, 889b, 889i, 879j, 879k, 889j.
 Enlisted Reserve Corps, on duty with, 889cc, 879j, 879k.
 Equipment, special, for, 889ss.
 Examination, certificate of rating, 889jj.
 Examination, temporary officers, prior to appointment, etc., 879d, 879e.
 Expenses, civilians, special duty at home or abroad, 889tt.
 Expenses, officers, etc., special duty at home and abroad, 889tt.
 Expenses, special courses in foreign aviation schools, 889uu.
 Expenses, special courses in foreign manufacturing establishments, 889uu.
 Increase in, 889jj.
 Increased pay, duty requiring aerial flights, 889p, 889mm.
 Junior military aeronauts, 889jj.
 Junior military aeronauts, increased rank and pay, 889ll.
 Junior military aviator, 889p, 889jj.
 Mileage, officers, etc., of foreign armies serving with, 889yy.
 Mileage, officers in, appropriation, 688a.
 Military aeronauts, 889jj.
 Military aeronaut, increase in rank and pay, 889ll.
 Military aeronaut, length of service for rating, 889kk.
 Military aviator, increase in grade, pay, etc., 889p, 889jj.
 Military aviator, office created, 889g, 889jj.
 Military aviator, qualifications for, 889k, 889m.
 Military aviator, service required, 889o, 889kk.
 Motor-propelled vehicles, exchange of on new, 1261b, 1261c.
 Motor-propelled vehicles, purchase and repair, 889pp.
 Officers, certificates of examination, 889o, 889jj.

SIGNAL CORPS—Continued.

AVIATION SECTION—Continued.

Officers, detailed from line, 879a, 889c-889e, 889k, 889s, 929a1.
 Officers, inefficient, termination of detail, 889f.
 Officers, married, eligible for detail, 889r.
 Officers, number, 889b.
 Officers, pay, 889h, 889p.
 Officers, qualification certificate required, 889k, 889jj.
 Officers rated in two classes, 889g, 889o, 889jj.
 Officers, ratings, 889o, 889jj.
 Officers, etc., special courses in foreign aviation schools, etc., 889uu.
 Officers, temporary, appointment, detail, etc., 879c, 879d, 879e.
 Pay, civilian aviator, 889u.
 Pay, former law repealed, 889q.
 Pay, increased, duty requiring aerial flights, 889p.
 Pay of enlisted men studying art of flying, 889j.
 Pay, officers of Officers Reserve Corps in active service, 879j.
 Pay of junior and military aviators, 889h, 889p.
 Plants, etc., for manufacture of airplanes, etc., 889ww.
 Qualification certificates, issue, 889j, 889jj.
 Qualification certificates required, 889k, 889jj.
 Rating of aviation officers, 889o, 889jj.
 Redetail not barred, 889s.
 Redetail of proficient aviators, 879a.
 Report as to land and buildings required for airships for coast defenses, 1274d.
 Reserve officers on duty with, 889cc.
 Sale of airplane war materials to foreign governments, etc., 1255a, 1255b.
 Vocational training for enlisted men of, 1293h.
 Aviation troops. See *Aviation troops*.
 Battalions, organization, 890b, 890i.
 Brigades, organization, 890i.
 Civilian employees, pay, 879j.
 Civilian employees, traveling expenses, 879j.
 Companies, organization, 890b.
 Composition, 879a, 879b, 880.
 Contracts, form, 1211b.
 Divisions, organization, 890i.
 Draftsmen, employment of, 895.
 Engines, exchange of on new, 1261b, 1261c.
 ENLISTED MEN—
 Additional, for Aviation Section, 889b.
 Aviation Section, vocational training, 1293h.
 Chauffeurs, first-class, and chauffeurs created, 890f-890h.

SIGNAL CORPS—Continued.

ENLISTED MEN—Continued.

- Chauffeurs, pay and allowances, 890g.
- Chauffeurs, rank, 890h.
- Composition, 890–892, 879b, 890a.
- Draft, age limit for, 890d, 890e.
- Excluded from strength of line, 332e.
- Expenses, special aviation duty at home or abroad, 889tt.
- Expenses, special course in foreign aviation schools, etc., 889uu.
- Grades established, 890a.
- Increase for Alaska and Philippines, 891.
- Increase by enlistment or draft, 890d.
- Increase in time of war, 892, 890d.
- May be mounted, 890c.
- Organization, 890–892.
- Pay, 698.
- Pay of noncommissioned officers, 695.
- Percentage of grades, 890a.
- Returns of stores in possession of, 901.
- Temporary, pay and allowances, 879h.
- Exchange of aeroplanes and other equipment on new, 1261b, 1261c.
- Exchange of typewriters, etc., 883a, 1261b, 1261c.
- Flights, organization, 890l.
- Headquarters detachment, organization, 890j.
- Headquarters, divisions, etc., organization, 890j.
- Horseshoer, pay, 695a.
- Increase, not to decrease Regular Army or National Army, 879l.
- Land-site funds available for other aviation purposes, 1274f.
- Military telegraph. See *Telegraph lines*.
- Motor-propelled vehicles, exchange on new, 1261b, 1261c.

OFFICERS—

- Additional for Aviation Section, 889b.
- of Aviation Section. See this title, *Aviation Section*.
- Appointment of general, 879f.
- Detailed as chief of telegraph bureau, Executive Office, 881.
- Detailed from line, 886, 887, 936.
- Detailed in, to be from grade of vacancy, 888.
- Examined for appointment, or promotion, 884.
- Expenses, special aviation duty at home or abroad, 889tt.
- Expenses, special course in foreign aviation schools, etc., 889uu.
- Lieutenants, promoted, after 14 years, 386.
- Number, 879a.
- Officers' Reserve Corps on active duty, pay, etc., 879j, 879k.
- Promotions by seniority, 885, 886.
- Returns of stores in possession of, 901.
- Temporary, appointment, detail, etc., 879c, 879d, 879e.

SIGNAL CORPS—Continued.

OFFICERS—Continued.

- Temporary, appointment, how made, 879e.
- Temporary, examination prior to appointment, etc., 879d, 879e.
- Temporary, pay and allowances, 879h.
- Vacancies which can not be filled by promotions, 887.
- Vacancies, Regular Army, etc., from temporary appointments in, 879g.
- Organization, 879, 880.
- Organization into divisions, brigades, regiments, etc., 890l, 890j.
- Organization of units, 890b, 890l.
- Part of Regular Army, 331a.
- Privates, first class, percentage, 890a.
- Privates, percentage, 890a.

PROPERTY—

- Exchange of certain on purchase of new, 883a, 1261b, 1261c.
- Regulations for keeping to be prescribed, 894.
- Returns to be made semiannually, 901, 901a.

Regiments, organization, 890l.

SALES—

- Proceeds available for replacement, 883.

Sergeants, additional, details, 1332a.

SIGNAL OFFICE—

- Employment of additional persons, 161.

Employment of draftsmen, 895.

Squadrons, organization, 890l.

VACANCIES FILLED—

- by Details from line, 886, 887, 936.
- by Promotion, 885, 886.
- of Volunteer forces, 1385.

Wings, organization, 890l.

SIGNAL SCHOOL, ARMY, 1183.

SILVER:

- Coin or bullion. See *Trading with enemy, License*.
- Coin or bullion in cargoes for export, report of, 1439d.

SITES:

- for Fortifications. See *Fortifications*.
- for Public buildings. See *Public buildings*.

SISTER:

- Defined, as to allotments, family allowances, etc., 1483x.
- Family allowances. See *Family allowances*.

SKETCH:

- Making, etc., unlawful, concerning national defenses, penalty, 13174–13174.

SKILLED DRAFTSMEN. See *Draftsmen*.

SMALL ARMS:

- Ammunition, for target practice, 831a.
- Militia, supplied with. See *Militia*.
- Obsolete, sale to patriotic organizations, 839.

SMALL ARMS—Continued.

Practice, appropriations for, availability, 831.

Practice, inspectors of, in militia, 1357.

SMALL-ARMS PRACTICE:

Inspectors. See *National Guard, Inspectors of small-arms practice.*

SMITHSONIAN GROUNDS:

Temporary buildings for War Department in, 1279c.

SOLDIERS:

See also *Enlisted men.*

Discharged, preference to, in civil service, 40, 41.

Outfits of, not to be sold, 1262.

SOLDIERS' HOME:

See also *National Home for Disabled Volunteer Soldiers.*

ACCOUNTS—

See also *Accounting of public money.*

Adjustment by War Department Auditor limited, 1509.

ADMISSION—

Contributors to support of home, 1515.

Convicts, deserters, drunkards, excluded, 1516.

Disabled soldiers, veterans of wars, 1514, 1515.

Regulars or Volunteers wounded in duty, 1515.

BOARD OF COMMISSIONERS—

Choice of retired officers for duty, 956.

Composition, quorum, powers, and duties, 1502.

Gifts, authorized to receive, 1508.

Pensions, regulation of payment, 1520.

Recommendation by of officers for appointment, 1505.

Report annually to Secretary of War, 1504.

Sites for, purchase of, approval, 1503.

BUILDINGS—

Erection, approved by Secretary of War, 1512.

Erection by commissioners, approval, 1503.

DISBURSEMENTS

Over \$5,000, approval necessary, 1512.

Discharge. See this title, *Inmates.*

FUNDS—

Accounts. See this title, *Accounts.*

Borrowing on credit of home, forbidden, 1513.

Custody in Treasurer of United States, 1511.

Custody, transfer in certain cases, 1511.

Deductions from pay, 707, 722, 1508.

Deposited in Treasury, interest, 1510.

Disbursement over \$5,000, approval, 1512.

Fines of courts-martial, 1507, 1507a.

Forfeitures for desertion, 1507.

Gifts, 1508.

for Support, source of, 1507.

SOLDIERS' HOME—Continued.**GOVERNOR—**

Appointment, 1505.

Deputy governor, appointment, etc., 1505.

One for each site, removal, 1505.

Grounds, purchase of, 1512.

INMATES—

Discharged, regulations for, 1517.

Outdoor relief, 1511, 1518.

Pensions. See this title, *Pensions of inmates.*

Subject to Articles of War, etc., 1521, 2 A. W.

Uniform furnished free, 1522.

INSPECTION—

by Board of Commissioners, 1502.

by Inspector General annually, 464.

LIQUOR—

Sale within one mile prohibited, 1523.

National Home for Disabled Volunteers, branch which can be discontinued, 1502a.

National Home for Disabled Volunteers, persons entitled to benefits of, 1502b.

OFFICERS—

Borrowing on credit of home, forbidden, 1513.

Enumerated, appointment and removal, 1505.

Retired officers, assigned to duty at, 956.

Selected by President, 1506.

Outdoor relief, 1511, 1518.

PENSIONS OF INMATES—

Allotment to dependent relatives, 1520.

on Death, without heirs, escheat, 1520.

Paid to pensioner at discharge, 1520.

Payment to treasurer of home, in trust, 1520.

Surrendered to home, 1519.

Secretary, 1505.

Sites, selection of, 1503.

SUPPLIES—

Purchase on contract from lowest bidder, 1512.

TREASURER—

Bond, 1506.

Secretary to be, 1505.

SOLDIERS' HOMESTEADS. See *Homesteads.*

SOLDIERS' LETTERS. See *Letters.*

SOLITARY CONFINEMENT:

Military convicts, report of, 491.

SPANISH-AMERICAN WAR:

Arrears of pay, etc., of Volunteers, time limit for filing claims, 218.

Badges. See *Badges.*

Pensions, minimum for widows of, 1498h, 1498i.

Persons entitled to benefits of National Home for Disabled Volunteer Soldiers, 1502b.

Uniform, etc., of discharged Volunteers, 1009.

SPECIAL AGENTS:

for Disbursement of money, bond, 248.

SPECIAL AND TECHNICAL TROOPS:

Voluntary enlistment or draft of, 1641.

SPECIAL COURTS-MARTIAL. See *Articles of War; Courts-Martial.***SPECIAL DISBURSING AGENTS.** See *Disbursing Agents.***SPEEDY TRIAL:**

of Offenders against civil rights, 1453.

SPIES:

in Time of war, death sentence authorized, 82 A. W.

SPRINGFIELD ARMORY:

Master armorer, pay, 854a.

Salaries of clerks, 857c.

SQUADRON:

Cavalry, 1074a.

Signal Corps, 8901, 890J.

STABLE SERGEANT:

Pay, 695a.

STAFF COLLEGE:

to Provide theoretical, etc., instruction, 1183.

STAFF DEPARTMENTS:

for a particular department, see the specific title.

CHIEFS OF—

Appointment of detailed officer, 375.

Appointment from line officers, 373.

Appointment from staff officers, 374.

Rank and pay fixed, 373, 373a.

Retired, rank and pay fixed, 376, 973.

Enlisted men. See *Enlisted men.*

Noncommissioned officers. See *Noncommissioned officers.*

OFFICERS—

Detailed from line, 378.

Eligibility for detail, restrictions, 937-933j.

Eligibility for redetail, 379.

General officers, 350a.

National Army, appointment to certain grades, 1532a.

Officers' Reserve Corps, appointment to certain grades, 1532a.

Promotion, by seniority, 377.

Promotion during detail, 365b.

not Reappointed, return to former grade, 382.

Relative rank in corps or arm held, 381.

Retirement before completion of detail, 380.

Term of detail, 379.

Transfer from line, 934.

Vacancies caused by details to National Guard, 1332d.

of Volunteers. See *Volunteer Army.*

STAFF DUTY:

Retired officers serving as acting quartermasters regarded as on, 975b.

STAFF OFFICERS, ARMY:

on staff of a particular officer, see the officer.

STAFF OFFICERS, ARMY—Continued.

Details from Artillery captains, etc., 1090.

Details from Cavalry captains, etc., 1077.

Details from Infantry captains, etc., 1100.

Details without creating vacancy in line, 361.

Regimental, deemed duty "with troops," 385, 938.

in Staff departments. See *Staff departments.*

of Volunteers. See *Volunteer Army.*

STAMPS. See *Postage.***STATE CONSTABULARY:**

Home guards having character of. See *Home guards.*

National defense act does not forbid, 1325d.

STATE DEPARTMENT:

Secretary. See *Secretary of State.*

Tender of foreign decorations through, 1012.

STATE EMPLOYEES:

Rates of pay compared with Government employees, 40g.

STATE HEALTH:

Officers of United States to observe, 1462.

STATE POLICE:

See *Home guards.*

National defense act does not forbid, 1325d.

STATES:

Government, republican form guaranteed, 1414.

Grouping of drafted units by, 1662.

Home Guards. See *Home guards.*

Insurrection against United States. See *Insurrection.*

Insurrection, suppression by militia, etc., 1416.

Laws of, adopted for punishing wrongful acts, 1316b.

Local exemption boards, National Army, 1646-1648.

Militia. See *Militia.*

Punishment, failure of officers to perform duties under Selective Service Act, 1660.

Quota for National Army, 1639, 1645.

Reports and information by officials of, to Bureau of War Risk Insurance, 1483j.

Selective-service act, utilize service of officials in its execution, 1657.

Volunteers. See *Volunteer Army.*

STATE SOLDIERS' AND SAILORS' ORPHANS' HOMES:

See also *National Home for Disabled Volunteer Soldiers.*

Issue of ordnance to, 954, 955, 831a, 955b.

Sales of ordnance to, 951c.

STATE, WAR, AND NAVY BUILDING:

See also Public buildings.

Department or branch, ejection of any forbidden, 154b.

Reapportionment of space, authorized, 154a.

Superintendent, duties, etc., 154.

Vacated rooms, restriction on use of, 154c.

STATIONERY:

for Executive departments, contracts limited, 1194.

STATUE OF LIBERTY:

Secretary of War to keep in repair, 1288.

STATUTES AT LARGE:

See also *Revised Statutes*.

Contents, 321.

as Evidence, 321.

Preserved and delivered to successor, 323.

Publication and distribution, 322.

STATUTE OF LIMITATIONS:

See *Articles of War, Limitation of prosecutions; Trading with enemy, Alien Property Custodian*.

STEEL:

Contracts for, after advertisement, 827, 1239.

Testing. See *Ordnance Department—Board for Testing Iron and Steel*.

STENOGRAPHERS:

Employment of enlisted men as, 1069.

STOCKS:

Allen enemy. See *Trading with enemy, Alien Property Custodian*.

STOLEN PROPERTY:

Penalty for receiving, 1266.

STOPPAGES OF PAY. See *Pay of enlisted men; Pay of officers*.

STORAGE:

Food and fuel. See *Food and fuel conservation, Licenses*.

STOREKEEPER:

Bond, 387.

Office of, abolished, 512.

Office of, revived for appointment of Chas. P. Daly, 512a.

at White House, continued on rolls, 513.

STUDENT OFFICERS:

of Law, forbidden, 469b.

Ordnance Department, 813b.

STUDENTS:

Dental, enlistment in Enlisted Reserve Corps, 1591a.

Medical, enlistment in Enlisted Reserve Corps, 1591a.

SUBPOENAS:

of Witnesses to claims. See *Claims*.

SUBSCRIPTIONS:

for Coast Artillery, payment in advance, 1083a.

for Engineer Corps, payment in advance, 801.

for Executive departments, payment in advance, 77a.

SUBSCRIPTIONS—Continued.

for Military Academy, payment in advance, 1178a.

for Quartermaster Corps, payments in advance, 520.

SUSISTENCE:

Limitations on allowance for feeding prisoners suspended, 776c.

Per diem in lieu of, employees traveling outside D. C., 96c, 96d.

SUSISTENCE, ARMY:

of Army sick, etc., in Canal Zone, 776.

Furnished discharged enlisted men, 683, 721, 1046.

Furnished officers on discharge, 683.

Rations. See *Rations, Army*.

Stores. See *Subsistence Department*.

SUSISTENCE DEPARTMENT:

See also *Quartermaster Corps; Staff departments*.

APPROPRIATIONS—

Certain, to constitute one fund, 689a.

Use for subsistence of Army, sick in Canal Zone, 776a, 776b.

Commissaries. See *Commissaries*.

Commissary General. See *Commissary General*.

Commissary sergeants. See *Commissary sergeants*.

Composition, 580.

Consolidation into Quartermaster Corps, 495.

DUTIES—

Rations, purchase of supplies for, 586.

Sales. See, this title, *Stores*.

Sales to officers and men at cost, 587.

Supply rations to naval, etc., detachments, 590.

OFFICERS. See also, this title, *Duties*.

Bonds and condition, 387.

Bonds, regulation and increase, 388.

Details of, 581–583, 936.

Disabilities, 591.

Duties, 586.

Funds for stores may be kept in possession, 592.

Promotions by seniority, 581.

Vacancies, filled by detail, 582, 583, 936.

Organization, 580.

Rations. See *Rations, Army*.

STORES—

Contracts for, provisions, 1238.

Credit sales to men, deduction of amount due, 725.

Credit sales to officers, deduction from pay, 692.

Credit sales, report to Paymaster General, 587.

Embezzlement, penalty, 1264.

Funds for, may be kept in possession, 592.

Interest of officers in purchases, etc., prohibited, 591.

Proceeds of sales available for replacing, 607.

SUBSISTENCE DEPARTMENT—Cont'd.

STORES—Continued.

- Proceeds of sales covered into Treasury, 609.
- Proceeds of sales not reported to Treasury, 608.
- Purchases for current year authorized, 1190.
- Purchases for officers and men, 589.
- Regulations by Secretary of War, 516.
- Sales of tobacco to enlisted men, 606.
- Sales to another executive department, 604.
- Sales to officers and enlisted men, 603.
- Sales to officers and men at cost, 587.
- Sales to officers, etc., of Navy and Marine Corps, 588, 588b.
- Sales to other bureaus of War Department, 604.

SUBSTITUTES:

- Hiring for military service prohibited, 1643.

SUGAR:

- Coffee and, ration of. See *Rations, Army*.

SUITS:

- See also *Courts*.
- on Accounts, for recovery of balance due, 203.
- before Court of Claims. See *Court of Claims*.
- Evidence in. See *Evidence*.
- for Labor and materials, bonds to cover cost, 1217.

SUMMARY COURT. See *Articles of War; Courts-martial*.

SUNDAYS:

- Annual leave of employees not to include, 52.

SUPERINTENDENTS:

- of Assay offices, 181.
- of Military Academy. See *Military Academy*.
- of Nurse Corps. See *Nurse Corps*.
- of State, War, and Navy Building, 154.

SUPERIOR OFFICERS:

- Permitting detachment of ineligible officers, 937.

SUPERNUMERARY OFFICERS:

- Discharge, on application, pay, 998.

SUPPLEMENT:

- to Revised Statutes. See *Revised Statutes*.

SUPPLIES:

- for a particular article see the specific title.

Army. See *Supplies, Army*.

Executive departments. See *Executive departments*.

SUPPLIES, ARMY:

- See also *Munitions plants; public property*.
- Accounting regulations, 1259a.
- Advance payments to contractors, 407a, 407b.
- Advertising and award of contract, 1199.
- Contractor's name to be marked on, 1241.

SUPPLIES, ARMY—Continued.

- Contracts, direction of Secretary of War, 1189.
- Damage, or shortage, charged against pay, 691.
- Manufacture at military prison, 487, 882a.
- Proceeds of sale to colleges, etc., 951b.
- Purchase after advertisement, exception, 1198.
- Purchase by National Guard, conditions, 1354a, 1354b, 1366a.
- Purchase in open market, 1198-1200.
- Purchase in time of war, method, 1600.
- Purchase in time of war, precedence, 1601.
- Quartermaster's supplies. See *Quartermaster's Department*.
- Reserve, appropriations available for, 616a.
- Sales to educational institutions, 951a, 951b.
- Sales to Philippine government, proceeds, 417.
- Security from contractors for advance payments, 407b.
- Subsistence stores. See *Subsistence Department*.
- Transportation by private parties, 525a, 525b, 538.
- Transportation, United States vessels preferred, 152.
- SUPPLY COMMITTEE. See *General Supply Committee*.
- SUPPLY COMPANY:
- Field Artillery, 1091e, 1091f, 1091h.
- Infantry, 1097c.
- SUPPLY SERGEANT:
- Pay, 695a.
- SUPPLY STATIONS, 1274c.
- SUPPLY TRAIN:
- Composition, 356a.
- SUPPLY TROOP:
- Cavalry, 1074d.
- SUPREME COURT OF UNITED STATES:
- Appeal to, from Court of Claims, 295-297.
- Habeas corpus, writs of, may issue from, 266, 267.
- SURETIES. See *Bonds; Distress warrants; Surety companies*.
- SURETY COMPANIES:
- Acceptance as security, 389.
- Agent for service of process, 390.
- Authority to do business must be granted, 391.
- Capital of \$250,000 required, 391.
- Charter, etc., deposited in Treasury, 391.
- Premium, maximum chargeable, 393.
- Statements, quarterly, to Treasury, 392.
- SURGEON GENERAL:
- See also *Medical Department*.
- Artificial limbs furnished officer, etc., 782.
- Board on serums, etc., member of, 780.
- Contract surgeons, appointment by, 738.

SURGEON GENERAL—Continued.

Hygienic Laboratory, board, member of, 781.

Losses of property, to certify charges for, 1256.

Rank of major general, 373a, 927f, 927g.

Rank of present, 373a, 728a.

Trusses furnished soldiers, etc., 783, 783a, 783b.

SURGEONS, ARMY:

See also *Civilian physicians*.

Contract. See *Contract surgeons*.

Dental. See *Dental surgeons*.

Medical Corps. See *Medical Corps*.

Medical Reserve Corps. See *Medical Reserve Corps*.

Services with Bureau of War-Risk Insurance, 1483g.

SURGICAL SERVICES:

Director, Bureau of War-Risk Insurance may furnish, 1483bbb.

Injured Federal employees entitled to, 661.

SURVEYS:

Mark, etc., of, penalty for disturbing, 1313.

Property for, transportation of, 532.

TABLE OF DISTANCES. See *Mileage*.TACTICAL ORGANIZATIONS. See *The organization*.

TARGET PRACTICE:

Ammunition and other materials for small-arms, 831a.

Ammunition, targets, etc., for educational, 955b.

Claims for damages to property from, 162, 162a.

Coast Artillery, regulating navigation in connection with, 1315c, 1315d.

Issue of rifles and ammunition to schools and clubs for, 954a, 954b.

Issue of targets to clubs and schools, 954d.

Militia. See *Militia*.

National Guard. See *National Guard*.

TARGET RANGES:

Arms, issue for use, 553c.

Authorization, open to militia, etc., 553.

Civilian, appropriation, 1579, 1579a.

Director of civilian marksmanship, 1580.

Estimates, annual, 553a.

Home guards, use of extended to, 1361f.

Instructors, detail, 553c.

Militia appropriation available for, 1353.

National Guard, sale of, 1281a-1281c.

Use of, extended to home guards, 1361f.

Use, general, 553a, 553b, 1361f.

TAXATION:

Compensation for death or disability exempt from, 1483uuu.

TAYLOR SYSTEM:

Officers prohibited installing, 864a, 864b.

TEACHERS:

Vocational instruction for enlisted men, 1293a, 1293b.

TELEGRAM:

Allen enemy. See *Trading with enemy, License*.

TELEGRAPH COMPANIES:

Commercial, forwarding charges. See *Telegraph Lines*.

TELEGRAPH CORPS:

Certificates of service to members of, 458.

TELEGRAPH LINES:

in Alaska, by foreign Governments prohibited, 897.

in Alaska, commercial business over, 897.

in Alaska, estimates, 899.

Connecting Capitol and departments, 128.

Military, collection of forwarding charges due connecting companies, 898a.

Military, penalty for destruction, etc., 900.

Military, receipts from commercial business, 898, 898a.

Military, under Chief Signal Officer, 896.

Operators for Capitol line, detail of, 127.

Washington-Alaska line, receipts, 899.

TELEPHONE LINE:

Military, destruction, etc., penalty, 900.

TELEPHONE SERVICE:

Executive departments, contracts for, 1197.

Long-distance calls from residences, 83.

Private, not to be paid from public funds, 83.

TEMPORARY CLERKS:

in Executive departments, compensation, 45.

TENTS:

Issue to Reserve Officers' Training Corps, 1563.

Loan of restricted to G. A. R. and U. C. V., 1259b.

Loan, restrictions, 588b, 1259b.

TERM INSURANCE. See *Military and naval insurance*.

TERRITORIAL JURISDICTION OF UNITED STATES:

Offenses committed within, 1316a, 1316b.

TERRITORIES:

See also *Hawaii*.

Adjutants General, appointment, 1335b.

Discrimination against uniform, penalty, 1010.

Home Guards. See *Home Guards*.

Laws of, adopted for punishing wrongful acts, 1316b.

Local exemption boards, National Army, 1646-1648.

Militia. See *Militia*.

National Guard. See *National Guard*.

Punishment, failure of officers to perform duties under Selective Service Act, 1660.

Quota for National Army, 1639, 1645.

Selective Service Act—

Utilize services of officials in its execution, 1657.

TESTIMONY. See *Evidence*.

TEXAS:

Permits to Indians to enter, prohibited, 1413.

Repealed, 1413a.

THEATERS:

Actors in, permitted to wear uniform, 1010b.

Discrimination against uniform in, penalty, 1010.

THREATS AGAINST THE PRESIDENT:

Punishment for making, 1a.

TIME:

Rules for division in computing pay of enlisted men, 626.

Rules for division in computing pay of Government employees, 44h.

TIME CLOCKS. See *Recording clocks*.

TIME-MEASURING DEVICES:

Use prohibited, 864a, 864b.

TIME OF WAR. See *War*.

TITLES:

Examination by Attorney General waived, 1274g, 1274o, 1274p.

Examination, prior to possession, 258, 1274o, 1274p.

Examination, prior to possession waived in time of war, 802d.

Lands taken for proving ground, immediately vest, 1274n.

to Sites for fortifications. See *Fortifications*.

TOBACCO:

Officers not to be interested in purchase, 591.

Sale to enlisted men at cost, 606.

Sale to soldiers, deductions from pay, 724.

TORPEDO CONTROL. See *Radiodynamic torpedo control*.

TORPEDOES:

Trespassing upon or injury to, 1315, 1315a, 1315b.

TORPEDO STATION:

Obtaining, communicating, etc., unlawful information concerning, penalty, 13174-13174.

TOTAL DISABILITY:

See *Military and naval compensation, Disability*.

TO TRADE:

Defined. See *Trading with enemy*.

TOXINS:

Surgeon General member of board on, 780.

TRADE-MARKS:

Registration of, by enemy. See *Trading with enemy, License*.

TRADING WITH ENEMY:

Act defined, 1420a.

Act not to validate trading since beginning of war, prior to its passage, 1420j.

ALIEN PROPERTY CUSTODIAN—

Abrogation of contracts, providing for deliveries during war, notice, 1424q.

TRADING WITH ENEMY—Continued.

ALIEN PROPERTY CUSTODIAN—Continued.

Accountants, appointment and compensation, 1424c, 1424d.

Acts done under regulations of President not to create liability in court, 1424l.

Appointment, 1424a.

Appropriation for expenses, 1424jj.

Attachment of property transferred to, 1424w, 1424x.

Attorneys, appointment and compensation, 1424c, 1424d.

Bond of, 1424b.

Certificate of appointment evidence in all courts, 1424l, 1424m.

Certified copy of record of appointment evidence in courts, 1424m.

Claims of enemy at end of war, settlement, 1424gg.

Claims to property, etc., transferred to, 1424t-1424x.

Clerks, appointment and compensation, 1424c, 1424d.

Contracts held by persons not enemy, against or with enemy, enforcement, 1424n-1424p.

Contracts held by persons not enemy against or with enemy, regulations for, 1424o.

Contracts, statutes of limitations. See this title *Statutes of limitations*.

Depositaries, certain property to be placed in, 1424aa.

Depositaries, designation of, for keeping property, 1424z.

Depositaries to give bond, 1424bb.

Deposit in Treasury proceeds of sales of property, 1424ee.

Duties, 1424cc.

Effect of payment or delivery of property to, 1424j.

Employees, appointed under civil-service law, 1424d.

Enforced contracts of persons not enemy, held against or with enemy, disposition of surplus, 1424p.

Extension of time for filing with list of property of or debts due enemy, 1427g.

General powers and duties, 1424a, 1424cc.

Investigators, appointment and compensation, 1424c, 1424d.

Lien. See this title *Mortgages*.

List of stock owned by enemies, striking names from, 1427c.

Moneys transferred to, payment into Treasury, 1424y.

Mortgages held by persons not enemy against or with enemy, enforcement, 1424n-1424p.

Notice and form of claims for property, etc., transferred to, 1424t.

Notice of suit against licensee of patent filed with, 1425ff.

TRADING WITH ENEMY—Continued.

ALIEN PROPERTY CUSTODIAN—Continued.

Notice to, before entry of judgment in favor of enemy, 1425nn.

Order of President for transfer of property to claimant not bar to suit as to right to, 1424u.

Payment or transfer in accordance with order of President or decree of court, 1424hh.

Payment to, by license of per centum of receipts from sales of patented articles, 1425bb.

Pledges held by persons not enemy, against or with enemy, enforcement, 1424n-1424p.

Property, etc., conveyed to, receipt for, 1424j, 1424k.

Property held for, or debts due enemy, reported to, 1427d-1427g.

Property, etc., transferred to Treasurer of United States, when, 1424ff.

Property owned by enemy, to be conveyed to, 1424g, 1424h.

Repayment of per centum deposited with, by licensee of patent, 1425jj.

REPORTS—

Annual to Congress, proceedings under Act, 1424c, 1424f.

Number and compensation of employees, 1424f.

Property held for, or debts due enemy on certain date, 1427e.

Statement of kinds of property taken and disposition of same, 1424f.

Secretary of Treasury, certain property to be deposited with, 1424aa.

Statutes of limitations, suspension of running, contracts made prior to war, 1424r, 1424s.

Strike names from reports of property held for, or debts due enemy, 1427f.

Suits to establish claim to property, 1424v.

Transfer to, on books, stocks, etc., owned by enemy, 1424dd.

Voluntary payment of property of enemy to, 1424h.

Ally of enemy defined, 1420c.

Appropriation for expenses of, Act, 1424jj.

Assignee, indorsee, etc., of debt of enemy, not to have right or remedy, 1420k.

Bank or banks defined, 1420h.

Beginning of the war defined, 1420f.

CANAL ZONE—

Jurisdiction of courts of, over offenses under Act regulating, 1425uu.

COLLECTORS OF CUSTOMS—

Reports of gold or silver coin, etc., in cargoes for export, 1439d.

Conveyance, etc., without license not to confer right or remedy, 1420k.

Copyright. See this title *License*.

TRADING WITH ENEMY—Continued.

CORPORATIONS—

Amount of stock owned by enemy officers, 1427a, 1427b.

List of enemy officers, directors, or stockholders, 1427a.

List of stock owned by enemy, 1427b.

List of stock owned, striking names from, 1427c.

Definition of Act, 1420a.

DISTRICT COURTS OF UNITED STATES—

Jurisdiction as to rules, orders, process, etc., appeals, 1425tt.

End of the war defined, 1420g.

Enemy defined, 1420b.

Evidence in prosecution. See this title *Notice from President*.

Importation of certain articles prohibited by proclamation, 1431a.

INVENTIONS—

Abandoned, when, 1425qq, 1616b.

Keeping secret and withholding grant of patents for, 1425pp, 1616a.

Tendered to United States, compensation for use of, 1425rr, 1616c.

LICENSE—

Allen enemy, exceptions as to transmission from United States, 1425d.

Censorship of communications by mail, etc., 1425c, 1425f.

Change of name of enemy, 1425q.

Claims of policyholders, etc., on refusal or revocation, 1425p.

Conveyances without, not to confer right or remedy, 1420k.

Copyright, applications by enemy, 1425v.

Currency, regulating transactions in foreign exchange, 1425u.

Enemy insurance companies transmitting funds out of United States, 1425i.

Evading censorship of communications, punishment, 1425f.

Extension of time for filing applications for letters patent, etc., 1425w.

Failure to apply for, within time limit, 1425o.

Gold coin or bullion, regulate transactions in foreign exchange, 1425u.

Insurance companies, abrogation of existing contracts, 1425j.

Insurance companies, conditions and revocation, 1425h.

Insurance companies, enemy, doing business in United States, 1425g, 1425i.

Insurance companies, revocation or refusal of, notice, 1425i.

Lawful for enemy to do business in United States, when and under what conditions, 1425m.

Manufacture, use, etc., articles covered by patent of enemy, 1425y, 1425z.

TRADING WITH ENEMY—Continued.

LICENSE—Continued.

Offenses, punishment, forfeiture of property, etc., 1425ss.

Patents—

Applications for, citizens of United States in enemy country, 1425x.

Application for letters, by enemy, 1425v.

Cancellation of licenses, 1425dd.

Certain powers of attorney valid, 1425oo.

Condition of license for manufacture or use, and fees for, 1425z.

Court may award reasonable royalty to owner, 1425hh.

Defenses to suit by licensee, 1425gg.

Extension of time for filing applications, 1425w.

Fund from which judgment and decree shall be paid to owner, 1425ii.

Injunction against infringement by licensee, 1425ll.

Inventions. See this title *Inventions*.

License to manufacture, use, etc., defense to suit by owner, 1425aa.

Manufacture, use, etc., articles covered by, 1425y, 1425z.

Notice of suit against licensee, 1425ff.

Notice to alien property custodian before entry of judgment, 1425nn.

Payment of tax, annuity or fee to enemy in relation to, 1425x.

Payment to alien property custodian of per centum of receipts from sales, 1425bb.

Repayment of per centum deposited with alien property custodian, 1425jj.

Reports to President to cease upon entry of suit or repayment of funds, 1425kk.

Restraining infringement, right of enemy owner, 1425mm.

Statements filed by licensee with President, contents, 1425bb.

Suits against licensee by owner of patent, 1425ee, 1425f.

Termination of license on suit brought, 1425il.

Term of licenses, 1425cc.

Payments by enemy to person in United States not enemy, 1420m, 1420n.

Payments by Treasurer, funds deposited by licensee, 1424il.

Postponement of certain acts, 1425t.

Premiums, existing policies on refusal or revocation, 1425p.

Proclamation as to marine and war-risk insurance as affecting German companies, 1425k.

Prohibiting or licensing foreign insurance companies, 1425r.

TRADING WITH ENEMY—Continued.

LICENSE—Continued.

Refusal or revocation, 1425o.

Refusal or revocation, claim of policyholder, etc., on 1425p.

Refusal or revocation, premiums on existing policies, 1425p.

Regulate transactions in foreign exchange, 1425u.

Rules and regulations for enforcement of Act, 1425s.

Tax, annuity or fee, payment to enemy in relation to patent, etc., 1425x.

Trading with enemy without, prohibited, 1425a.

Trade-mark, registration by enemy, 1425v.

Transmission of money, etc., out of United States, 1425n.

Transporting enemy into or from United States without, 1425b.

Sending letters into or from United States to enemy, 1425c.

Silver coin or bullion, regulate transactions in foreign exchange of, 1425u.

Special, general or temporary to ally of enemy, 1425s.

Suit in United States courts by enemy holding, 1420p.

Suspension of provision of act as to ally of enemy, 1425s.

Notice from President that person is enemy, prima facie defense in suit, 1420r.

Notice from President that person is enemy, prima facie evidence in prosecution, 1420s.

Offenses, punishment, forfeiture of property, etc., 1425ss.

Patent, letters. See this title, *License*.

Payment, obligations assigned to persons not enemy prior to beginning of war, 1420l.

Payments by enemy to person in United States not enemy made prior to beginning of war, 1420m.

Persons defined, 1420d.

PHILIPPINE ISLANDS—

Jurisdiction of courts over offenses under act regulating, 1425uu.

President, notice from that person is enemy prima facie evidence in, 1420s, 1420t.

Property. See this title, *Alien Property Custodian*.

Reports, property held for or debts due enemy, 1427d–1427g.

Reports, property held for or debts due enemy as of certain date, 1427e.

Reports, property held for or debts due enemy, extension of time for filing, 1427g.

Strike names from reports of property held for or debts due enemy, 1427f.

TRADING WITH ENEMY—Continued.

Suits—

Actions in United States courts by enemy, prior to end of war, 1420o.

Right of enemy to defend by counsel, 1420q.

to Trade defined, 1420i.

Trade-mark registration. See this title, *License*.

United States defined, 1420e.

Vessels—

Refusal of clearance on belief that statement required is false, 1439c.

Statements of masters and owners, copies for American consular officers, 1439b.

Statements required from master and owners, contents, 1439a, 1439b.

TRAINING CAMPS. See *Citizens' Training camps*; *Target ranges*.

Commandeering or requisitioning lands for, 802d.

Condemnation proceedings, sites for, 802a–802d.

Donation of lands, acceptance, 802c.

Examinations of title, etc., prior to possession waived, 802d.

Purchase of lands at agreed price, 802b.

Suppression of houses of ill-fame near, 1295e, 1295f.

TRAINING STATIONS:

Donations of lands for, 1274c.

Report as to needs, 1274c.

TRANSFERS:

in Executive departments. See *Executive departments—Employees*.

of Enlisted men. See *Enlisted men*.

of Officers. See *Officers, Army*.

from Retired to active list. See *Retirement, Army*.

TRANSLATIONS. See *Newspapers*; *Publications*.

TRANSLATORS:

Army service schools, 1183a.

Auditing accounts abroad, number and compensation, 205h.

TRANSPORTATION:

for a particular class of articles, see the specific title. See also *Travel*.

Agencies at Washington by common carriers, 525h.

Antitrust violations, provision not repealed, 525d.

of Army supplies. See *Supplies, Army*.

on Army transports, restrictions, 528–530.

Commandeering systems in time of war, 525b.

Contracts for means of, advertisement, 1235.

Control of systems in time of war, 525b.

Delivery, prompt, 525a.

Directions for preference to national defense commodities, 525f.

Duties of common carriers, 525i.

Embargo on military, prohibited, 525a.

TRANSPORTATION—Continued.

of Enemy. See *Trading with enemy, License*.

Enlisted men, on discharge, 683, 1045, 1046.

Exempting carriers from existing preferential, provisions, 525k.

Explosives over defensive sea areas, etc., 1315c, 1315d.

of Horses for officers, to place of station, 561.

Labor disputes provision not repealed, 525d.

Mileage. See *Mileage*.

National Army forces to home station, 1640b.

National Guard attending joint maneuvers, reduced rates, 1328e.

Nurse Corps. See *Nurse Corps*.

Obstructing, during war with Germany, 525c.

Officers detailed abroad, 673.

to Officers in kind, deducted from mileage, 685.

Officers, on discharge, 683.

of Officers, over land-grant railroads, 686, 687.

Officers, restriction as to, 533.

Preference in time of war, 525a, 525b, 525e.

Preference, offices and compensation for persons designated, 525g.

Preference to national defense commodities, 525e, 525f.

Punishment of common carriers, neglect of duties, 525i.

Purchase of draft animals, restrictions, 537, 538.

Purchase or hire of vehicles, etc., 535.

Rates for persons and property to be just, etc., 525j.

Reduced rates, members of National Guard attending joint maneuvers, 1328e.

Reimbursement for excess baggage, etc., 526, 527.

of Remains of officers, etc., who die abroad, 1063.

Requisitioning systems in time of war, 525b.

of Troops, by land-grant railroads, 531.

of Troops, preference to, in time of war, 525, 525a.

of Troops, under direction of Secretary of War, 524.

Use of armed force to prevent obstructing, during war, 525c.

Vessels, military, not required, 534f.

Vessels, transfer to Army in emergencies, 534a–534d.

TRANSPORTS, ARMY:

See also *Transportation*.

Inspection by Naval officers, 306.

Intoxicating liquors not to be sold on, 1295.

TRANSPORTS, ARMY—Continued.

- Register as United States vessels on sale of, 150b.
- Safety equipment required, 536.
- Sale, consent of Congress necessary, 150, 150a.
- Service, discontinuance of, authority, 151.
- Shipping Board to purchase or charter suitable vessels, 534e.
- Steamships, purchase for use as authorized, 534.
- Transfer to Shipping Board when not required, 534f.
- Use, restrictions, 528-530.

TRAVEL:

- See also *Transportation; Traveling expenses*.
- Accounts, oaths to, who may administer, 65.
- Allowances of enlisted men on discharge, 1045, 1045a, 1045b.
- Allowances of officers on discharge, 684.
- Mileage. See *Mileage*.
- of Officers, necessity for, to be certified, 675.
- Sea travel of enlisted men on discharge, 1046, 1046a.
- without Troops in Alaska, actual expenses only, 681.
- without Troops, Secretary of War to define, 671, 671a.

TRAVELING EXPENSES:

AUDIT OF ACCOUNTS—

- Military Establishment, employees residing in foreign countries, 205j.
- of Civil officers and employees, limitations upon, 680a.
- Civilian employees, Signal Corps, 879j.

FOREIGN ARMIES—

- Officers and enlisted men attached to United States Army, 673b, 889yy.
- Military Academy candidates, 1152.
- Militia officers, board of, per diem, 1338.
- to Militia officers, etc., attending schools, 1334.
- Officers on instruction tours, in lieu of mileage, 680.

TREASURER OF THE UNITED STATES:

- See also *Public moneys*.
- Appointed by President, 178.
- Assistants. See *Assistant Treasurers of the United States*.
- Authorized, 178.
- Duties enumerated, 179.
- Duties as fiscal agents, 185.
- Report on unchanged balances, 183, 183a.
- Transfer of money or property of alien enemy to, when, 1424ff.

TREASURY:

- Deposit proceeds, sales of alien enemy property in, 1424ee.
- Moneys paid into. See *Trading with enemy, Alien Property Custodian*.

TREASURY DEPARTMENT:

- Appropriations. See *Appropriations*.
- Assistant Treasurers. See *Assistant Treasurers of the United States*.
- Bureau of War Risk Insurance. See *Bureau of War Risk Insurance*.
- Claims. See *Claims*.
- Claims allowed, report to Congress of, 216.
- Distribution of family allowances, 712w.
- Payment of compulsory allotments to, for distribution, 712w.
- Records of, as evidence, 246, 247.
- Secretary. See *Secretary of the Treasury*.
- Treasurer. See *Treasurer of the United States*.

TREASON:

- Criminal correspondence with foreign governments, punishment, 1415h.
- Defined, 1415d.
- Enlisting for service against United States, 1415k.
- Inciting, etc., rebellion or insurrection, punishment, 1415g.
- Letters, newspapers, etc., advocating, nonmailable, 253c.
- Misprison of treason defined, punishment, 1415f.
- Punishment for, 1415e.
- Recruiting for service against United States, punishment, 1415j.
- Seditious conspiracy, punishment, 1415i.

TREATIES:

- Power to make, vested in President, 7.

TREES:

- Blazed, to make surveys, cutting, penalty, 1313.
- on Public lands, cutting, etc., penalty, 1311, 1312.

TRESPASS:

- Canal Zone defenses, jurisdiction, 1315b.
- Harbor defenses, penalty, 1315, 1315a, 1315b.
- Public lands. See *Public lands*.
- Torpedoes, injury to or, 1315, 1315a, 1315b.

TRIAL:

- Criminal prosecution, failure to register, precedence to, 1655.
- Speedy, in civil rights cases, 1453.

TROOPS:

- See also *Troops of the line*.
- of Cavalry. See *Cavalry*.
- Pay. See *Pay of Army*.
- Right of way to, in District of Columbia, 1466.
- Transportation of. See *Transportation*.

TROOPS OF THE LINE:

- Artillery. See *Artillery*.
- Cavalry. See *Cavalry*.
- Coast Artillery. See *Artillery*.
- Enlisted strength of organization, 1105.
- Field Artillery. See *Artillery*.
- Infantry. See *Infantry*.

TROPHY, NATIONAL:

Regulations for annual contests for, 553d.

TRUMPETERS:

Rate of pay, 698.

TRUSSES:

Furnished soldiers, ruptured in line of duty, 783, 783a, 783b.

TYPEWRITERS:

Exchange, by departments, authorized, 75a.

Exchange, by Signal Corps, 883a.

UNASSIGNED RECRUITS. See *Recruits; Clothing, Army.***UNIFORM, ARMY:**

See also *Clothing, Army.*

Actors permitted to wear, 1010b.

Boy Scouts permitted to wear, 1010b.

Campaign badges issued as article of (note), 571.

of Civil War officers who resigned, 1007, 1008.

Discrimination against, penalty, 1010.

Enlisted Reserve Corps, 1590.

Officers, according to actual rank, 1005.

Organizations and persons authorized to wear, 1010b-1010d.

Prescribed by President. 571.

Reserve Officers' Training Corps—Commutation to educational institutions supplying, 1562a.

Retired officers, according to rank, 988.

Sale of alcoholic liquors to officers or enlisted men in, 1295c.

Spanish War officers who resigned, etc., 1009.

Unlawful wearing, 1010a.

Unlawful wearing, penalty, 1010e.

UNION VETERANS ASSOCIATIONS:

Unauthorized wearing of badge, penalty, 1025.

UNITED CONFEDERATE VETERANS:

Loan of tents to, authorized, 1259b.

UNITED SPANISH WAR VETERANS:

Unauthorized wearing of badges, penalty, 1025.

UNITED STATES:

Claims. See *Claims.*

Courts. See *Courts.*

Declaration of war between Germany and, 1415a.

Defined. See *Espionage; Trading with enemy.*

Enlisting for service against, punishment, 1415k.

Flag. See *Flag of United States.*

Foreign relations. See *Foreign relations.*

Jurisdiction. See *Territorial jurisdiction of United States.*

Officials, reports and information to Bureau of War-Risk Insurance, 1483j.

Possession of German vessels within jurisdiction of, 1415b, 1415c.

Recruiting for service against, punishment, 1415j.

Seal. See *Seal of United States.*

Vessels. See *Vessels.*

UNITED STATES GEOLOGICAL SURVEY.

See *Geological Survey, United States.*

UNITED STATES SHIPPING BOARD**EMERGENCY FLEET CORPORATION:**

Deemed a Government establishment, 36d.

UNIVERSITIES. See *Colleges; Reserve Officers' Training Corps.***UNLAWFUL RESTRAINTS AND MONOPOLIES ACT:**

Not repealed by provisions of food and fuel conservation act, 1766.

UNORGANIZED MILITIA:

Draft into National Guard reserve battalions, 1325t.

Part of militia, 1322a.

USELESS PAPERS:

in Executive departments, disposition, 132, 133.

VACANCIES:

in a particular office or department or branch of the service, see the specific title.

Caused by retirement. See *Retirement, Army.*

in Line of Army. See *Officers, Army.*

in Staff departments. See *Staff departments.*

VEHICLES:

Hire or purchase for official purposes, 535.

Purchase for executive departments, restrictions, 82, 82a.

VESSELS:

American, discrimination by belligerent, 1469e.

Armed, detention of, 1469p.

Armed, sending out with intent to deliver to belligerents, 1469g.

Belligerent, foreign war, land and naval forces to maintain neutrality, 1469g.

Belligerents, which discriminate against Americans, denial of facilities to, 1469e.

Belligerent, punishment for attempted illegal departure, 1469f.

Clearance may be refused, 1469a, 1469c.

Coast and Geodetic Survey, transfer to Army in emergency, 534h.

Compelling foreign, to depart, 1473, 1473a.

Contracts for, eight-hour law applicable, 1228-1230.

Departing without clearance, penalty, 1469b, 1472a, 1472b.

Discriminating against American citizens during foreign war, clearance, 1469d.

Detail, to enforce regulations as to navigable waters and coast defenses, 1315d.

Detention of armed, 1469p.

Enemies, board to ascertain value of, 1415c.

Engaged in foreign commerce, injury, punishment, 1469m.

Forbidding departure, when, 1469s.

Foreign commerce, interference with by violent means, punishment, 1469n.

VESSELS—Continued.

German, within jurisdiction of United States, taking possession of, 1415b, 1415c.

Government, not required for military use, transfer, 534f.

Insurrection, use, in. See *Insurrection*.

Neutrality, enforcement of. See *Neutrality*.

Obtaining, communicating, etc., unlawful information concerning, penalty, 1317i-1317j.

IN PORTS OF CANAL ZONE—

Regulations governing anchorage and movement, 1469h, 1469i.

Taking control and possession of, 1469h, 1469i.

IN PORTS OF UNITED STATES—

Destruction or injury, punishment, 1469k.

Employment of land or naval forces for enforcement of regulations, etc., 1469l.

Failure to comply with regulations as to anchorage, etc., penalty, 1469j.

Regulations governing anchorage and movement, 1469h.

Seizure and forfeiture, when, 1469j.

Taking control and possession of, 1469h.

Use of, as resort for conspiracy against United States, punishment, 1469k.

Punishment for taking out of port unlawful exports in time of war, 1475p.

Purchase or hire for official use, 535.

Quarantine. See *Quarantine*.

Refusal of clearance for certain exports in time of war, 1475o, 1475p.

Refusal of clearance on belief that statement required is false, 1439c.

Register of Army transports as United States on sale of, 150b.

Repeal of neutrality resolution of March 4, 1915, relative to, 1469w.

Shipping Board to purchase or charter, for Army transports, 534e.

Statements from masters that cargoes will not be delivered to other vessels, 1469r.

Statements of masters and owners, copies for American consular officers, 1439b.

Statements required from masters and owners, contents, 1439a, 1439b.

Transfer of, to Army in emergencies, 534a-534d.

of United States preferred for transportation, 152.

Unlawful taking out of port, punishment, 1469t.

Use of cruisers and transports, payment, 534.

Violation by, of defensive sea areas, 1315a.

VETERINARIAN:

See also *Veterinary Corps*.

VETERINARIAN—Continued.

Appointment in Veterinary Corps, 728g, 728h.

of Artillery Corps, pay, 1078.

of Cavalry, entitled to retirement, 1079.

of Cavalry, pay, 1078.

of Coast Artillery, entitled to retirement, 1079.

Commutation of quarters, 668a, 668b.

Duties, animals to be cared for by, 544.

Rank and pay, 728g.

Retirement, 1079.

Sea travel, actual expenses only allowed, 682.

VETERINARY CORPS:

See also *Veterinarians*.

APPOINTMENTS—

Must be citizens of United States, 728a, 728c.

Probationary period, 72811.

Qualifications, 728d.

Veterinarians now in Army, 728g, 728h.

ASSISTANT VETERINARIANS—

Appointment, 728c, 728d.

Examination, 728d.

Must be citizens of United States, 728c.

Rank and pay, 728e.

Composition, 728c.

Discharge of unsatisfactory appointees, 728m.

Examining boards, composition, 728u.

Part of Medical Department, 728a.

PROMOTION—

Examination, 728f.

Service, 728e.

RESERVE VETERINARIANS—

Appointment, pay, 728j.

Qualifications, eligibility, 728k.

Retirement, for physical disability, 728i.

VICE ADMIRAL, NAVY:

Relative rank with officers of Army, 352.

VICE PRESIDENT OF THE UNITED STATES:

See also *President of the United States*.

Exempt from draft in National Army, 1644.

Exempt from militia duty, 1323, 1323a.

Term of office, commencement of, 3.

VIRUSES:

Board on, Surgeon General member, 780.

VOCATIONAL TRAINING:

Civilian instructors, 1293a, 1293f.

Discipline, jurisdiction as to, 1293g.

Enlisted men, 1293a, 1293b.

Enlisted men, Aviation Section, Signal Corps, 1293h.

Enlistment of injured persons while taking, 1293j, 1293k, 1293l.

Hours for education and training, 1293e.

Instruction, additional to military training, 1293c.

Instructors and discipline, jurisdiction, 1293g.

VOCATIONAL TRAINING—Continued.

Pay of injured enlisted persons during, 1293k.

Persons permanently injured required to take, 1293i-1293l.

Reeducation of persons permanently injured, 1293l.

Transfer of enlisted men to organizations at regimental posts for, 1293d, 1293g.

VOLUNTARY SERVICE:

Acceptance of, forbidden, exception, 37, 1195, 1544b.

Food and fuel conservation, acceptance of, 1681.

Members of Officers' Reserve Corps, may render, 1544b.

VOLUNTEER ARMY:

See also *Militia; National Guard*.

Appointment of National Army officers from persons who served in, 1630.

Appointments in, 1384.

ARTILLERY—

Medical personnel of regiments, 1385.

BRIGADES—

Composition, 357.

Organization of, authorized, 1385, 356a.

CAVALRY—

Medical personnel of regiments, 1385.

Chaplains, 1387.

Colors, regiments mustered out to retain, 149a.

Constitutes branch of Army, 328.

Continues service pay of enlisted men of Army who had commissioned service in, 1043d.

Corps, Army, 357.

Desertion. See *Desertion*.

Discharge to date from muster out of organization, 1383f.

DIVISIONS—

Compositions, 357.

Organization of, authorized, 1385, 356a.

ENGINEERS—

Battalions, medical personnel, 1385.

ENLISTED MEN—

Apportioned among States, etc., 1384.

Authorization for enlistment, 1384.

Bronze medals, suppressing Philippine Insurrection, 1013b, 1013c.

Certificates of merit may be issued, 1385.

Discharge to date from muster out of organization, 1383f.

Extra pay on muster out in lieu of furlough, etc., 1383e, 1383j.

FURLOUGH—

Extra pay on muster out in lieu of, 1383e.

LEAVES OF ABSENCE—

Extra pay on muster out in lieu of, 1383e, 1383j.

VOLUNTEER ARMY—Continued.

ENLISTED MEN—Continued.

MUSTER—

Out, extra pay in lieu of furlough, etc., 1383e, 1383j.

Out, mustering officers may administer oaths, 1393i.

Out of organizations, discharge to date from, 1383f.

Pay. See this title, *Pay*.

ENLISTED RESERVE CORPS—

Service with, in time of war, 1598, 1599.

Enlistment. See this title, *Recruiting*.

ENROLLMENT—

of Militia organizations, 1384.

Period of, same as for Regular Army, 1383.

Proclamation to state number for each arm, etc., 1384.

Restricted to time of war, etc., 1383.

Exempted persons, 1324.

GOVERNMENT—

Subject to Army Regulations, 1385.

Homes. See *National Home for Disabled Volunteer Soldiers*.

HOSPITAL STEWARDS—

Appointment in Regular Army, 761.

INFANTRY—

Regiments, medical personnel, 1385.

MACHINE GUN DETACHMENTS—

Organization as President directs, 1385.

Maximum strength, 1391.

Medals of honor. See *Medals of honor*.

MEDICAL DEPARTMENT—

Inspectors detailed with each army, etc., 1393.

Officers of, command to which entitled, 1393.

Organization, as President directs, 1385.

MILITARY PRISONS—

See also *Military prison*.

Organization, as President directs, 1385.

MUSTER—

See also *Muster rolls*.

Decision of War Department as to date conclusive, 455a.

Out on termination of war, etc., 1383.

Rolls to Adjutant General for file, 1390.

NATIONAL ARMY—

INFANTRY DIVISIONS—

Age limit for enlistment in, 1383c.

Division smallest unit to be accepted, 1383d.

Officers for, selection, 1383a, 1630.

Organization same as for Regular Army, 1383b.

Voluntary enlistments, limitation, 1383a.

Nurses authorized, 1384.

VOLUNTEER ARMY—Continued.

OFFICERS—

Additional for drilling recruits authorized, 1391.

Affidavit as to accountability for public property, 1383h, 1383i.

Appointed by President, 1386.

Appointment after Officers' Reserve Corps, 1550.

Appointment of regular officers, 361.

Appointment of regular officers not affected by Officers' Reserve Corps, 1551.

Appointment, preference to certain classes, 1388.

Appointments above colonel prohibited, 1386.

Appointments from Regular Army, 1388.

Assignment and transfer, 1393.

Authorization for appointment, 1384.

Brevet rank may be conferred, 1385.

Bronze medals, suppressing Philippine Insurrection, 1013b, 1013c.

Certificates of nonindebtedness on discharge, 1383g-1383i.

Commissioned in arm of service, 1386.

Defect in title in office, etc., pay, 457.

Discharge to date from muster out of organizations, 1383f.

Eligible for service on courts-martial, 1385.

Enlisted men discharged from Army to accept commission as, reenlistment, 1043b-1043d.

Extra pay on muster out in lieu of furlough, etc., 1383e, 1383j.

Former, appointment in Officers' Reserve Corps, 1533a.

Medical, command by, 1393.

of Militia, appointed in Volunteers, 1384.

Number restricted, 1386.

Pay. See this title *Pay*.

Promotions, 1385.

Retirement of enlisted men of Army, credit for commissioned service in, 1043d.

Staff. See this title *Staff officers*.

OATHS—

Mustering officer may administer, 1383i.

Organization, 1385.

Part of Army of United States, 329a.

PAY—

See also *Pay of Army*.

Arrears, time limit for claims, 218, 218a.

Attorneys' fees for claims, 218b.

During captivity, 720.

of Enlisted men fixed, 1394, 1394a.

Extra on muster out in lieu of furlough, etc., 1383e, 1383j.

to Heirs of officer whose muster is amended, 456.

VOLUNTEER ARMY—Continued.

PAY—Continued.

of Officers not duly mustered, 455.

of Officers same as for Regular Army, 1394, 1394a.

Similar to that of Regular Army, 636.

Paymasters. See *Paymasters*.

Pensions. See *Pensions*.

Promotions, 1385.

RECRUITING—

Additional officers for, authorized, 1391.

Employment of retired noncommissioned officers, etc., on, 1392.

Employment of retired officers in, 1392.

Secretary of War to have direct control, 1391.

RECRUITS—

Additional officers for drilling authorized, 1391.

Regiments mustered out to retain colors, 149a.

REGULATIONS—

Subject to Army Regulations, 1385.

RELIGIOUS ORGANIZATIONS—

Member of certain, exempt from duty, 1323a, 1324.

REMOUNT DEPOSITS—

Organization, as President directs, 1385.

Repeal of former volunteer acts, 1395.

Retirement. See *Retirement*.

RETURNS—

to Adjutant General, 1390.

of Disbanded organizations, filing, 439.

Rendered to The Adjutant General, 439.

of Sick and wounded, disposition, 439.

SECRET-SERVICE AGENCIES—

Organization, as President directs, 1385.

SERVICE—

Claims for, Spanish War, 218.

Termination of, 1383.

SIGNAL CORPS—

Medical personnel, 1385.

Organization as in Regular Army, 1385.

STAFF OFFICERS—

Additional authorized, 1387.

Appointed by President, 1387.

for Commands, authorized, 360.

Number and rank authorized, 1387.

Number, restriction on, 1387.

Uniform and title of those mustered out, 1009.

VOTERS:

See also *Elections*.

Officers attempting to fix qualifications, 1459.

VOUCHERS. See *Accounts, Military Establishment*.

WAGONERS:

Pay, 695a.

Rate of pay, 697.

WAGONS:

Purchase of, by contract after advertisement, 1235.

WAR:

See also *War with Germany*.

Army, increase to entire strength in case of, 331c.

Articles of. See *Articles of War*.

Brigades, composition of typical in time of, 356a.

Civil War. See *Civil War*.

Claims. See *Claims*.

Commandeering in time of. See *Commandeering for military purposes*.

Corps, composition of typical in time of, 356a.

Council of National Defense, powers and duties not extended by, 1619a.

Declaration of, between United States and Germany, 1415a.

Discharge of certain enlisted men on termination of present, 1031h.

Discharge of enlisted men during on account of dependents, 1044b.

Divisions, composition of typical in time of, 356a.

Enlisted Reserve Corps in. See *Enlisted Reserve Corps*.

Enlistments in force at outbreak continued, 1031h, 1031h.

Excess mortality and disability, cost of insurance due to hazards of, 1483qqqq.

Exports, certain, in time of, unlawful, 1475m-1475p.

Field Artillery, war units, 1090b.

Food and fuel conservation. See *Food and fuel conservation*.

Foreign, commercial discrimination by belligerents, 1469c-1469f.

HORSES—

Lost in battle, etc., payment to officers for, 217b-217g.

Lighthouse Service, cooperation during, 534d.

Making false reports to interfere with military forces at, 1317d.

Medical Department, additional enlisted force, 766c.

Military supplies, emergent purchases, 1600.

Munitions plants, control in time of, 1601.

National defense information in time of, punishment, 1317c.

National Guard in. See *National Guard; National Guard Reserve*.

Obstructing movement of trains, etc., in time of, military force to prevent, 525c.

Officers' Reserve Corps in. See *Officers' Reserve Corps*.

Payment for property lost while in military service, 217c.

Pensions. See *Pensions*.

Prisoners. See *Prisoners*.

WAR—Continued.

Railways, control of transportation systems in time of, 525b.

Records of a particular. See the specific title.

Reenlistment in time of, bounty, 1031o.

Regulations covering duties of Coast and Geodetic Survey in time of, 534p.

Regular Army Reserve in. See *Regular Army Reserve*.

Requisitioning. See *Requisitioning for military purposes*.

Retired officers on active duty in, pay, 961a.

Transportation, preference to troops, 525.

Transportation of troops, preference, 525, 525a.

Transportation systems control, 525b.

Vessels, transfer to Army in emergencies, 534a-534d.

WAR COLLEGE. See *Army War College*.

WAR DEPARTMENT:

See also *Army; Executive departments*.

ACCOUNTS—

See also *Accounting of public money*.

Settled abroad, administrative examination of, 205h.

Settlement of, between bureaus, 417a, 775g, 808, 901b, 1179a.

Allotment of pay by civilian employees on duty abroad, 711a, 712a.

AMERICAN NATIONAL RED CROSS—

Auditing annual report of, 104a, 104b.

Assistant and chief clerk, 144.

Assistant Secretary. See *Secretary of War*.

Auditor. See *Auditor for War Department*.

Building. See *State, War, and Navy Building*.

BUREAUS—

See also specific title.

Rank, pay, and allowances of chiefs of, 373a.

Settlement of accounts with Medical Department, 755g.

Settlement of account with Military Academy, 1179a.

Supplies, etc., procured for another bureau, payment, 417a.

CHIEF CLERK—

Appointed by Secretary, 144.

Custody of papers in absence of Secretary, 144.

Requisitions, etc., when, may sign, 145.

CLERKS—

See also, this title, *Employees*.

in Chief of Staff's office. See *Chief of Staff*.

Details of, restricted, 362d, 363.

at Military headquarters. See *Military headquarters*.

to Retired officers forbidden, 989.

at Service schools, pay, 362, 362a.

WAR DEPARTMENT—Continued.

Cooperation of, in standardizing gauges, etc., 1611a.

Decision as to date of muster of volunteers conclusive, 455a.

Disbursing officers. See *Disbursing officers*; *Disbursing officers, Army*.

EMPLOYEES—

Additional pay prohibited, exception, 161.

Additional, prohibited, penalty, 161.

Clerks. See, this title, *Clerks*.

Interment, 1063.

Temporary, 28a–28c, 44d.

Temporary, limit as to maximum compensation, 28c.

Temporary, report to Congress as to number, etc., 28b, 44d.

Insular officers. See *Insular Affairs, Bureau of*.

PROPERTY—

Custody in Secretary of War, 148.

Record and Pension Office. See *Record and Pension Office*.

Secretary. See *Secretary of War*.

Settlement of accounts with Signal Corps, 901b.

Temporary buildings for, in Smithsonian grounds, 1279e.

Temporary office building for Navy Department, and, 154d.

WAR OF 1812:

Records of, transferred to Secretary of War, 440.

WAR WITH SPAIN. See *Spanish-American War*.

WARRANT OFFICERS:

Certain, included as commissioned officers as to compensation, insurance, etc., 1483y.

WARRANTS:

In Civil rights cases, 1449, 1450.

Covering seizure of arms, etc., intended for export, 1475d.

Distress. See *Distress warrants*.

for Public money, requirements, 237.

Search. See *Search warrants*.

WAR RISK INSURANCE:

See *Bureau of War Risk Insurance*; *Military and naval insurance*.

Proclamation of President relative to, as affecting German insurance companies, 1425k.

WAR WITH GERMANY:

See also *Trading with enemy*; *War*.

ACCOUNTS AUDITED ABROAD—

Reopening, etc., settlement within one year after close, 205e.

Affidavit of persons in armed forces as to homestead entry, before whom made, 1272l.

Beginning of the war defined, 1420f.

Censorship of communications by mail, etc., during, 1425e, 1425f.

Coal and coke, purchase by Governments during, 1762.

WAR WITH GERMANY—Continued.

Date of termination as to employees abroad, 205w.

Declaration of, 1415a.

Discharge of certain enlisted men on termination of, 1031h $\frac{1}{2}$.

Discharge of enlisted men during, on account of dependents, 1044b.

End of the war defined, 1420g.

Enemy vessels, board to ascertain value of, 1415c.

Enlistments in force at beginning of, extension until termination of, 1031h $\frac{1}{2}$.

Enlistment in United States of subjects by foreign countries, 1468a, 1468b.

Evading censorship of communications, punishment, 1425f.

Examination of title to lands for military purposes waived during, 802d, 1274o, 1274p.

Exemption of persons in military service from assessment work, etc., on mining claims, 1272j–1272o.

Increased pay of enlisted men during, 695b, 695c.

Obstructing transportation during, penalty, 525c.

Officers with general powers of notary public in foreign places, 114th A. W. Possession of German vessels within jurisdiction of United States, 1415b, 1415c.

Publishing in foreign languages items, etc., relating to, 253f–253k.

Railways, control of transportation systems during, 525b.

Requisitioning transportation systems during, 525b.

Restrictions as to details suspended during, 9381a.

Sale of airplane war materials to foreign governments, during, 1255a, 1255b.

Suspension of requirements as to desert lands by persons in military service, 1272e–1272h.

Termination of auditing accounts abroad, after close, 205u.

TRADING WITH ENEMY—

Act not to validate trading since beginning of war, and prior to its passage, 1420j.

Claims of enemy, etc., at end of, settlement, 1424gg.

Payments by enemy to person in United States not enemy prior to beginning of, 1420m.

Payment of obligations assigned to persons not an enemy prior to beginning of, 1420l.

Transportation. See this title *Requisitioning transportation systems*.

Use of armed force to prevent obstruction to transportation during, 525c.

WASHINGTON-ALASKA MILITARY CABLE. See also *Telegraph lines*.

Receipts from, disposition, 899.

WASHINGTON BARRACKS:

Use of, by militia, authorized, 1379.

WASHINGTON HIGH SCHOOLS:

Issue of ordnance property to, 953a.

WATCHMEN:

In Executive departments. See *Executive departments*.

In Office of the Chief of Staff, 362, 362a.

WEST POINT MILITARY RESERVATION:

See also *Military Academy*.

Command of, vested in Superintendent of Military Academy, 1111.

Erection of churches, when allowed, 1181.

WHEAT. See *Food and fuel conservation*.**WHITE HOUSE.** See also *President of the United States*.

Annual inventory of property custodian, etc., 109b.

Bond of property custodian, 109a.

Designation of property custodian, 109a, 109b.

WIDOWED MOTHER:

See also *Military and naval compensation*.

DEATH—

Amount payable to, 1483mm.

Compensation for death of but one child, 1483nn.

Duration of compensation, 1483qq.

Right to compensation not dependent on date of widowhood or of death, 1483oo.

DISABILITY—

Amount to dependent, 1483vv.

WIDOWS:

Compensation. See also *Military and naval compensation*.

COMPENSATION—

Apportionment between children not in custody and, 1483tt.

Duration of, 1483qq.

Pensions. See *Pensions*.

Restriction as to time of marriage subsequent to injury, 1483tt.

WIFE:

Amount of compensation for disability, 1483vv.

WIFE AND CHILDREN:

Family allowances. See *Family allowances*.

WIFE, DIVORCED:

Family allowances. See *Family allowances*.

WINES. See *Intoxicating liquors*.

WINGS:

Signal Corps, organization, 8901, 8901.

WIRELESS MESSAGE:

Alien enemy. See *Trading with enemy, License*.

WITNESSES:

See also *Articles of War*.

Acceptance of bribe by, penalty, 1253.

Accused persons may testify before courts-martial, etc., 1253a.

In Claims cases. See *Claims*.

before Courts-martial. See *Courts-martial*.

Examination, attorneys for, 137, 264.

Military and naval insurance, fees and mileage, 1483l.

Military and naval insurance, subpoenas, 1483i.

Oaths, who may administer, 64.

Subpoenas, disobedience of, etc., contempt, 1483k.

WOMAN'S RELIEF CORPS:

Unauthorized wearing of badge, penalty, 1025.

WOMEN:

Appointment of, as clerks, authorized, 26.

Salary of, as copyist, 44.

WORKMEN:

See also *Laborers*.

In Armories, etc. See *Armories and arsenals*.

Eight hours to constitute day's work, 1218, 1219.

WOUNDS:

See also *Military and naval compensation*.

Absence of officers on account of, 661.

Permanent, vocational training, etc., for soldiers receiving, 1293i-1293l.

WRITS:

of Habeas corpus. See *Habeas corpus, tion*.

YELLOWSTONE NATIONAL PARK:

Detail of troops for protection, 1300.

YOSEMITE NATIONAL PARK:

Detail of troops for protection, 1301.

Rights of way through, 1282.

YOUNG MEN'S CHRISTIAN ASSOCIATION:

Erection of buildings on military reservations, 1279a.

Supplies, etc., carried on Army transports, 529.

ADDITIONAL COPIES

OF THIS PUBLICATION MAY BE PROCURED FROM
THE SUPERINTENDENT OF DOCUMENTS
GOVERNMENT PRINTING OFFICE
WASHINGTON, D. C.

AT

\$1.00 PER COPY



382218

2CB500

A2

1917a

UNIVERSITY OF CALIFORNIA LIBRARY

